

## LEGISLATIVE ASSEMBLY OF NATIONAL CAPITAL TERRITORY OF DELHI

### ORIGIN AND GROWTH

The crescent shaped edifice of the Legislative Assembly of National Capital Territory of Delhi of today and the Imperial Legislative Council and Central Legislative Assembly of 1913-1926 and Metropolitan Council(1966-1990), facing Alipur Road in the vicinity of the ridge has not only witnessed the history of Delhi as also that of 20<sup>th</sup> century India in the process of their making but has also been that very site wherefrom the wind of democratization blew high over the political firmament of the modern India. It was here that the foundation of the Indian parliamentary system was laid in the beginning of this century. The grand and magnificent historic chamber of today's Legislative Assembly of Delhi is the solitary witness of the fiery but evocative speeches of great patriotic Indian leaders and parliamentarians such as V.J. Patel, Gopal Krishna Gokhale, Moti Lal Nehru, Madan Mohan Malviya, Lala Lajpat Rai, Tej Bahadur Sqaпру, Surendranath Banerjee, Mazharul Haque, Sachidananda Sinha and others who led the nation to goal of freedom.

In 1911, Lord Hardinge, the then Viceroy of India took the historic decision to transfer the Imperial Capital from Calcutta to Delhi and to make it the seat of the Central Government. The actual transfer of the capital took place on 1912. But the Council Chamber which houses the Legislative Assembly has a much older history. The chamber was actually built for the meeting of the Imperial Legislative Council, which was reconstituted under Morley-Minto Act of 1909 and had been functioning from 1910 in Calcutta. The first session of the Imperial Legislative Council took place in this Council Chamber in January, 1914. The Imperial Legislative Council was later substituted by two Houses, namely, the Central Legislative Assembly and the Council of States which was constituted in 1921 under the Montagu-Chelmsford Act of 1919. The meetings of the Central Legislative Assembly and the joint sessions of the two Houses were held in the Council Chamber, while the Metcalfe House was the venue of the meetings of the Council of States.

#### Sessions of the Central Legislative Assembly (1921-1924)

S. No.	Assembly	Date of Commencement of Session	Total No. of Sessions held	Number of Sittings	Date of Dissolution
1.	First Assembly (1921-23)	3/2/1921	3	170	12/9/1923
2.	Second Assembly (1924-26)	31/1/1924	5	170	15/9/1929

So, from 1912 to 1926 the pride of place was occupied by the Council Chamber of the Central Government at Old Secretariat. After 1926, the Central Legislative Assembly was shifted from Old Secretariat to the Parliament House and the Old Secretariat fell in disuse for a long time. It, however, bubbled into activity again in 1952 when Delhi as a Part-C State was given an Assembly. That Assembly was disbanded in 1956. In 1966, Delhi was given a Metropolitan Council whose deliberations also used to take place in this very building. Since December, 1993, the Old Secretariat continues to be the seat of Delhi Legislative Assembly.

### **THE POLITICAL AND ADMINISTRATIVE SET UP OF DELHI**

The political and administrative set up of Delhi has undergone several changes after independence. Prior to independence, Delhi had a number of Municipalities and its administration was being looked after by the Chief Commissioner. The Delhi State Legislative Assembly came into being on 17<sup>th</sup> March, 1952 under the Government of Part-C States Act, 1951. While inaugurating the popular set up at Old Secretariat, the then Home minister Sh. K.N. Katju had hailed the event as “a crowning glory of the annals of historical Capital Delhi.”

The 1952 Assembly consisted of 48 members. There was a provision for a council of Minister to aid and advice the Chief Commissioner in the exercise of his functions in relation to matters in respect to which the State Assembly was given powers to make laws. The first Council of Ministers was headed by Ch. Brahm Prakash. Sardar Gurmukh Nihal Singh took his place in 1955 and left it in 1956.

In pursuance of the recommendations of the State Reorganisation Commission (1955), Delhi ceased to be a Part-C State with effect from 1<sup>st</sup> November, 1956. The Delhi Legislative Assembly and the Council of Ministers were abolished and Delhi became Union Territory under the direct administration of the President. In accordance with another recommendation of the Commission, the Delhi Municipal Corporation Act, 1957 was enacted constituting Municipal Corporation for the whole of Delhi with members elected on the basis of adult franchise.

There was considerable pressure of public opinion for providing a democratic set up and a responsive administration for Delhi. In partial fulfillment of this demand and on the basis of recommendations of Administrative Reforms Commission, the Delhi Administration Act, 1966 was enacted. The Act provided for a deliberative body – called Metropolitan Council having recommendatory powers. At the top, there was Lt. Governor or Administrator who was appointed by the President of India. The Metropolitan Council was

a unicameral democratic body consisting of members – 56 elected and 5 nominated by the President.

Details of the tenure of the Metropolitan Council of Delhi are given in the Table below :

**Tenure of the Metropolitan Council and number of Sessions held by each Council**

S.No.	Metropolitan Council	Tenure		No. of Sessions held	Name of Executive Councillor
		From	To		
1.	Interim	1966	1967	1	Sh. Mir Mushtaq Ahmed
2.	First	1967	1972	17	Prof. Vijay Kumar Malhotra
3.	Second	1972	1977	17	Sh. Radha Raman
4.	Third	1977	1980	10	Sh. Kedar Nath Sahni
5.	Fourth	1983	1990	20 (up to January 1989)	Sh. Jag Pravesh Chandra

The Metropolitan Council set-up suffered from many inherent deficiencies. It had no legislative powers and it had only an advisory role in the governance of Delhi. There was, therefore, a continuous demand for a full-fledged State Assembly with Council of Ministers to aid and advice the Lt. Governor. Accordingly, on 24<sup>th</sup> December, 1987, The Government of India appointed Sarkaria Committee (later on called Balakrishnan Committee) to into the various issued connected with the administration of Union Territory of Delhi and to recommend measures for streamlining the administrative set up. The Committee submitted its Report on 14<sup>th</sup> December, 1989 and recommended that Delhi should continue to be a Union Territory but should be provided with a Legislative Assembly with appropriate powers to deal with matters of concern to the common man. The Committee also recommended that with a view to ensuring stability and permanence, the arrangements should be incorporated in the constitution to give the National Capital a special status among the Union Territories.

In accordance with the recommendation of the Balakrishnan Committee, the parliament passed the Constitution (69<sup>th</sup> Amendment) Act, 1991, which inserted the new Articles 239AA and 239AB in the Constitution providing, inter alia, for a Legislative Assembly for Delhi. Another comprehensive legislation passed by Parliament called “the government of National Capital Territory of Delhi Act, 1991”, supplements the Constitutional provisions

relating to the Legislative Assembly and the Council of Ministers and matters related thereto.

The Assembly has the power to make laws with respect to all the matters in the State List or in the Concurrent List of the Constitution of India except Entries 1 (Public Order), 2 (Police), and 18 (Land) and entries 64, 65 and 66 relating to the said entries of the State List.

The Assembly is a privileged body and its members enjoy the freedom of speech in the House as well as freedom to vote like members of other State Legislatures and Parliament.

### **PRESENT STRUCTURE OF DELHI LEGISLATURE**

Article 239AA of the Constitution of India which came into effect from 01.02.1992, provided that there shall be a Legislative Assembly for the National Capital Territory of Delhi. The first sitting of the Assembly was held on 14.12.1993.

The Assembly consists of 70 Members – all chosen by direct election from as many constituencies. At present 12 seats in the Assembly are reserved for Scheduled Castes. The Constitution lays down that the strength of the Council of Ministers shall not be more than ten percent of the total number of members in the Assembly. Thus there are Seven Ministers in the Delhi Cabinet

The Assembly has the power to make laws with respect to all the matters in the State List or in the Concurrent List of the Constitution of India except Entries 1 (Public Order), 2 (Police), and 18 (Land), and entries 64, 65 and 66 relating to the said entries of the State List.

The President appoints the Chief Minister and on the advice of the Chief Minister appoints other Ministers. The Ministers hold office during the pleasure of the President. The Chief Minister and her Council aids and advises the Lt. Governor in the exercise of his functions in relation to matters with respect to which the Legislative Assembly has power to make laws.

The Lieutenant Governor has the power to summon, prorogue or dissolve the Assembly. He can also address the Assembly or send messages to it. The Lt. Governor addresses the first session of the Assembly after each general elections and the first session of each year.

The Assembly is a privileged body and its members enjoy the freedom of speech in the House as well as freedom to vote. The Members of the Delhi Assembly have all the powers and privileges, which are enjoyed by the Members of Parliament. The

proceedings of the Assembly cannot be called in question in the Court of Law. Also the Member or the Presiding Officer in whom powers are vested for regulating the procedure or conduct of business is not subject to the jurisdiction of Courts in respect of exercise by him of those powers.

Like members of other State Legislatures and Parliament, the members of Delhi Assembly are also empowered to vote in the election of the President of India. They are also subject to the Tenth Schedule of the Constitution, which contains provisions as to disqualification on grounds of defection.

The tenure of Legislative Assembly is five years, but the Lt. Governor can dissolve it before the completion of its term on the advice of Chief Minister. It may be dissolved by the President in case of constitutional emergency proclaimed under Article 356 of the Constitution.

In case of proclamation of national emergency (under Article 352) the Assembly can extend the term of the Legislative Assemblies for a period not exceeding one year at a time.

The members of Legislative Assembly elect their presiding officer. The Presiding officer is known as the Speaker. The Speaker presides over the meetings of the House and conducts its proceedings. He maintains order in the House, allow the members to ask questions and speak. He puts bills and other measures to vote and announces the result of voting. The Speaker does not ordinarily vote at the time of voting. However, he may exercise casting vote in case of a tie.

The Deputy Speaker presides over the meeting during the absence of the Speaker. He is also elected by the Assembly from amongst its members.

#### **Sessions of the State Legislature.**

The State Legislature normally, meets at least thrice a year and the interval between two sessions cannot be more than six months. The Lt. Governor summons and prorogues the sessions of State Legislature. He addresses the Legislative Assembly at the commencement of the first session after each general election and at the commencement of the first session of the year. This address reflects the policy statement of the government which is to be discussed in the Legislature.

#### **ELECTIONS, PARTIES AND MEMBERS**

Since the inception of Delhi Legislative Assembly, six general elections have been held. Detail of each Assembly is given below:

### Tenure of Delhi Legislative Assembly since its inception (1993 – 2018)

S.No.	Assembly	Date of Commence- ment	Date of Dissolution	Total No. Sessions	Total No. Sittings
1.	First	14.12.1993	30.11.1998	16	130
2.	Second	14.12.1998	05.12.2003	16	106
3.	Third	18.12.2003	08.12.2008	14	104
4.	Fourth	18.12.2008	08.12.2013	14	104
5.	Fifth	01.01.2014	04.11.2014*	01	07
6.	Sixth	23.02.2015	Continue	08	104

\* Assembly dissolved due to resignation of Cabinet and Imposition of President Rule.

#### **PRESIDING OFFICERS**

Assembly is headed by the Speaker and every sitting of the Assembly is presided over by the Speaker or any other member competent to preside over. The Hon'ble Speaker and Hon'ble Deputy Speaker are elected by the Members of the House.

#### **Speakers and their tenure in the Assembly**

S.No.	Name of Hon'ble Speaker	Period
1.	Sh. Charti Lal Goyal	16.12.1993 to 14.12.1998
2.	Ch. Prem Singh	14.12.1998 to 17.06.2003
3.	Sh. Subhash Chopra	03.07.2003 to 17.12.2003
4.	Sh. Ajay Maken	17.12.2003 to 28.05.2004
5.	Dr. Yoganand Shastri	19.12.2008 to 31.12.2013
6.	Sardar Maninder Singh Dhir	03.01.2014 to 23.02.2015
7.	Sh. Ram Niwas Goel	23.02.2015 to till date

#### **Deputy Speakers and their tenure in the Assembly**

S.No.	Name of Hon'ble Deputy Speaker	Period
1.	Sh. Alok Kumar	17.12.1993 to 25.09. 1994
2.	Ch. Fateh Singh	11.08.1995 to 25.11.1998
3.	Smt. Kiran Chaudhary	07.04.1999 to 07.11.2003
4.	Smt. Krishna Tirath	23.12.2003 to 28.06.2004
5.	Sh. Shoaib Iqbal	23.07.2004 to 07.11.2008
6.	Sh. Amrish Singh Gautam	23.12.2008 to 08.12.2013
7.	Smt. Bandana Kumari	23.02.2015 to 04.05.2016
8.	Km. Rakhi Birla	10.06.2016 to till date

### Chief Ministers of Delhi

S.No.	Name	From	To	Political Party
1.	Sh. Madan Lal Khurana	1993	1996	Bhartiya Janta Party (BJP)
2.	Sh. Sahib Singh Verma	1996	1998	BJP
3.	Smt. Sushma Swaraj	1998	1998	BJP
4.	Smt. Shiela Dikshit	1998	2003	Indian National Congress(INC)
5.	Smt. Shiela Dikshit	2003	2008	INC
6.	Smt. Shiela Dikshit	2008	2013	INC
7.	Sh. Arvind Kejriwal	2013	2014	Aam Aadmi Party (AAP)
8.	Sh. Arvind Kejriwal	2015		AAP

### Secretaries of Delhi Assembly

S.No.	Name	Period
1.	Sh. P.N. Gupta	01.01.1994 to 28.02.1999
2.	Sh. S.K. Sharma	01.03.1999 to 21.02.2002
3.	Sh. Siddharath Rao	21.02.2002 to 16.05.2010
4.	Sh. P.N. Mishra	17.05.2010 to 31.03.2014
5.	Sh. L.R. Garg	21.05.2014 to 21.04.2015
6.	Sh P.R. Meena	21.04.2015 to 17.07.2015
7.	Sh. Prasanna Kumar Suryadevara	17.07.2015 to 26.02.2018
8.	Sh. C. Velmurugan	15.03.2018 onwards

**Chief Whip** of the Ruling Party: Presently only the Chief Whip of the Ruling Party is recognized and provided salary, allowances and facilities at par with Hon'ble Ministers. The Chief Whip is a Member of the Legislative Assembly declared by the majority party and recognized as such by the Hon'ble Speaker.

**Leader of Opposition:** The member of Legislative Assembly who is, the Leader in the House, of the party in opposition to the Government having the greatest numerical strength and recognized as such by the Hon'ble Speaker. The Leader of Opposition also draws salary, allowances and facilities at part with the Hon'ble Ministers.

## COMMITTEE SYSTEM

The enormous range and magnitude of the government activities in the present day State has led Assembly/Legislatures to shift emphasis from lawmaking activities to supervision/control of the administration. This is not limited only to the voting of moneys by the Assembly/ State Legislatures but also extends to ensure that expenditure is incurred in a prudent & specified manner on plans and programmes approved by the Legislature and that the objectives underlying these programmes are achieved. Assembly/ State Legislature as a body, however, is not in a position to undertake this stupendous task on its own nor it is practically possible. As a matter of fact, it cannot use the floor time for minute details nor it has enough time for doing so. Therefore, to make Assembly surveillance effective and more meaningful, suitable machinery is required. The Committees are constituted to ensure this accountability of the Executive to the Legislature. Besides, enabling more people to become associated with the governmental processes, these also help in making use of the experience and expertise in guiding and supervising the government's functioning. These Committees are, therefore, referred to as "House in Miniature" or "House in Perpetuity"

At the commencement of the first session after each general election and thereafter before the commencement of each financial year or from time to time when the occasion otherwise arises, different Committees of the House for specific, or general purposes are either elected by the House or nominated by Hon'ble Speaker. Presently thirty three Committees are functioning in the Delhi Assembly.

S.NO.	NAME OF COMMITTEE
1	Business Advisory Committee
2	Rules Committee
3	Committee of Privileges
4	Committee on Welfare of Sc/St
5	Committee on Welfare of OBC
6	Private Members Bills & Resolutions Committee
7	General Purpose Committee
8	Library Committee
9	Questions & Reference Committee
10	Committee on Government Assurances
11	Committee on Petition

12	Committee on Delegated Legislation
13	Committee on Papers Laid on The Table
14	Committee on Woman And Child Welfare
15	Committee on Environment
16	Committee on Salary And Other Allowances of Members of Delhi Legislative Assembly
17	Committee on Ethics
18	Committee on Welfare of Minorities
19	Committee on Welfare of Students & Youth
20	Committee on Unauthorised Colonies
<b>Ad Hoc Committees</b>	
20	<u>Special Inquiry Committee to Investigate alleged illegal restoration of cancelled Licence of a Ration Shop in Burari</u>
21	House Committee on Municipal Corporations in Delhi
22	Special Inquiry Committee to probe alleged irregularities and corruption in bodies that are administering the games of cricket and hockey in NCT of Delhi.
23	Special Inquiry Committee to Investigate alleged Irregularities in Award of a Contract to M/s ESP India Ltd. by the Transport Deptt. of the Govt. of NCT of Delhi
<b>Financial Committees</b>	
24	Public Accounts Committee
25	Committee on Govt. Undertakings
26	Committee on Estimates
<b>Department Related Standing Committee</b>	
27	DRSC on Administrative matters
28	DRSC on Education
29	DRSC on Welfare
30	DRSC on Health
31	DRSC on Development
32	DRSC on Public Utilities and Civic Amenities
33	DRSC on Finance and Transport

## Salary & Allowances.

### Salaries & Allowances Of Ministers//Speaker/Dy. Speaker/Leader Of Opposition/Chief

#### Whip

(w.e.f. 04-11-2011)

1.	Salary	Rs. 20,000/- per month
2.	Constituency Allowance	Rs. 18,000/- per month
3.	Sumptuary Allowance	Rs. 4,000/- per month
4.	Daily Allowance	Rs. 1,000/- per day during the whole of his/her term.
5.	Reimbursement o Electricity charges at residences	Chief Minister-maximum upto 5000 electric units consumed per month. Ministers-Maximum upto 3000 electric units consumed per month.
6.	Travelling Facilities	Reimbursement of actual expenditure annually upto a maximum of Rs. 50,000 on travel within India for self and members of the family.
7.	Residence Facility	Rent free furnished residence of Rs. 20,000/- p.m. or ratable value of his/her own house or the rent or the Rent paid by his/her whichever is the least.
8.	Conveyance	Free use of a Motor Car with services of a Chauffeur and petrol for the car upto a maximum of 700 ltrs. Per month. In case of use of his own motor car is opted, will be entitled to conveyance allowance of Rs. 2,000/- per month.
9.	Medical Facilities	Free medical treatment and/or reimbursement and free accommodation in all hospitals run by the Government and all other panel or referral hospitals empanelled or declared as

		such by the government in accordance with the Medical Attendance Rules and the DGEHS as amended from time to time on priority basis as available to Group –A officers of the highest grade of the Government, provided that a compulsory monthly contribution shall be levied from every MLA at the same rate as would be payable by a Group–A officer of the highest grade of the Government which shall be recoverable from the monthly salary bill of the Minister.
10.	Reimbursement of Data Entry Operator Salary	Rs. 30,000/- per mensem (Reimbursable for two Data Entry Operators @ Rs. 15,000/- p.m. to each).

*Salaries & Allowances of M.L.A.(s)*

(w.e.f. 04-11-2011)

1.	Salary	Rs. 12,000/- per mensem
2.	Constituency Allowance	Rs. 18,000/- per mensem
3.	Secretarial Allowance	Rs. 10,000/- per month
4.	Conveyance Allowance	Rs. 6,000/- per month
5.	Telephone Facilities	Rs. 8,000/- per month to meet the cost of telephone call charges
6.	Daily Allowance	Rs. 1,000/- per day (subject to a maximum up to 40 days per year) for attending Assembly session/committee meetings etc.
7.	Conveyance Advance	Upto Rs. 4,00,000/- (repayable within his office term)
8.	Medical Facilities	Free medical treatment and/or reimbursement and free accommodation in all hospitals run by the Government and all other panel or referral hospitals empanelled or declared as such by the government in accordance with the Medical Attendance Rules and the DGEHS

		<p>as amended from time to time on priority basis as available to Group –A officers of the highest grade of the Government, provided that a compulsory monthly contribution shall be levied from every MLA at the same rate as would be payable by a Group–A officer of the highest grade of the Government which shall be recoverable from the monthly salary bill of the MLA.</p>
9.	Pension	<p>Every ex–Member who has served as Member either of the Legislative Assembly of NCT of Delhi or Member of the erstwhile Metropolitan Council of Delhi or of the erstwhile Delhi State Legislative Assembly as the case may be, shall be entitled for pension of Rs. 7,500/-p.m. for the first term of his membership and an additional pension of Rs. 1,000/- p.m for every successive year of his membership beyond the first term.</p>
10.	Family pension	<p>After the death of a member during his term of office or an Ex–Member (including Ex–Member of erstwhile Metropolitan Council of delhi and Ex–Member of erstwhile Delhi State Legislative Assembly), pension shall be payable to the surviving spouse during the remaining period of life of such spouse until he/she does not remarry and after his/her death to his/her dependent children so long as such dependent continues to be a dependent, provided that family pension shall be equivalent to one–half of the pension which such Ex–member would have received has he retired. Provided that no such family pension shall be payable to a dependent if such dependent is a sitting member of is drawing pension under section</p>

		9.
11.	Elect. & Water Facility	Reimbursement of the monthly electricity and water consumption charges subject to a maximum of Rs. 4,000/- p.m.
12.	Travelling Facilities	Reimbursement of actual expenditure annually up to maximum or Rs. 50,000/- on a travel within India for self and dependent members of the family.
13.	Reimbursement of Data Entry Operator (Salary)	Rs. 30,000/- per mensem (Reimbursable for two Data Entry Operators @ Rs. 15,000/- p.m. to each).

**MLA Local Area Development Fund.** The Government of India had framed "Member of Parliament Local Area Development Scheme" under which MPs can recommend works to be carried out in their constituencies. Since the MLAs are also frequently approached by their constituents for carrying out small works of capital nature, the Govt. of Delhi has framed a scheme along the pattern of the MPs Local Area Development Scheme. The scheme was started in the year 1994-95 when the fund under the scheme was Rs.1.00 crore per MLA per year. After gaining some experience the Govt. decided to revise the scheme & increase the fund to Rs.1.40 crore per MLA per year w.e.f. 1999-2000. From the financial year 2000-01 the limit of Rs.1.40 crore has been raised to Rs.1.90 crore per MLA. And from 2004-05, the limit has been further increased to Rs.2.00 crore and w.e.f 2011-12 the limit has been further increased to Rs. 4 crore. Under this scheme of "Strengthening and Augmentation of Infrastructure facilities in each Assembly Constituency", commonly known as MLALAD's each MLA can suggest small works of capital nature to be done in their constituencies upto the tune of Rs.4.00 crores in a year with each individual project not exceeding Rs.2 crore. The Urban Development Department of the Government of Delhi is the Administrative Department for this Fund.

**Digitization Process & IT Services.** It has been the endeavor of the Assembly Secretariat to expeditiously extend and expand the digitization process and IT Services for the benefit of the Hon'ble Members and the general public. Each Member is provided with reimbursement of expense up to Rs. One Lakh for purchase of a laptop or desktop computer with printer.

The General Purposes Committee visited the Himachal Assembly to study the implementation of e-Vidhan project with a view to make the Delhi Assembly a 'paperless

Assembly'. The Report of the General Purposes Committee in this regard was adopted by the Delhi Assembly and the project is expected to be executed shortly with the help of National Informatics Centre and IT Department of the Delhi Government.

**Live Telecast of House Proceedings.** All the proceedings of the House Proceedings are webcast live on its website – delhiassembly.nic.in besides YouTube, Twitter and Facebook.

HD Quality feed (5 Camera Set up) is also made available to all the television channels for telecast during the session period free of cost.

**Social Media.** The Delhi Assembly has a heavy footprint on the social media. The objective is to disseminate information relating to the Assembly in a transparent and prompt method to the various stake holders. The website of the Assembly contains all the relevant and up-to-date information, useful for the Hon'ble Members, Officers, Public and research enthusiasts. The various social account details of the Delhi Assembly are.

Website:	delhiassembly.nic.in
Email:	assemblydelhi@gmail.com
Facebook:	/assemblydelhi
Twitter:	@DelhiAssembly
YouTube:	Delhi Assembly Television