



How to rule Delhi

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Highlights

- In ruling that the Lieutenant Governor of Delhi has no independent decision-making power, and has to act mainly on the aid and advice of the Council of Ministers, the Supreme Court has restored the primary role played by the “representative government” in the National Capital Territory.
- The demand for full statehood has been around for many years now, but after the Aam Aadmi Party came to power the constitutional tussle between the two tiers of government has become an acrimonious battle between AAP and the BJP at the Centre. The Delhi High Court agreed with this two years ago, giving the impression that administrative decisions needed the Lt. Governor’s concurrence.
- At the same time, it has retained the Lt. Governor’s powers to refer matters to the President for a decision. However — and this is the nub of the judgment — it has significantly circumscribed this power. The power to refer “any matter” to the President no longer means “every matter”. Further, there is no requirement of the Lt. Governor’s concurrence for any proposal.
- It has ruled out Mr. Kejriwal’s demand of full statehood, and the critical powers — over police, land and public order — still remain vested with the Centre.
- The basic message is that an elected government cannot be undermined by an unelected administrator. The larger one is that the Union and its units should embrace a collaborative federal architecture for co-existence and inter-dependence.

Source: [The Hindu](#)

