

## BILL TO DEFINE DELHI L-G'S POWERS MOVED IN LS

Relevant for: Indian Polity | Topic: Issues and Challenges Pertaining to the Federal Structure, Dispute Redressal Mechanisms, and the Centre-State Relations

Lieutenant Governor of Delhi Anil Baijal.

The Ministry of Home Affairs (MHA) moved a Bill in the Lok Sabha on Monday in which it proposed that the “government” in the National Capital Territory of Delhi means the Lieutenant-Governor of Delhi.

The Bill gives discretionary powers to the L-G even in matters where the Legislative Assembly of Delhi is empowered to make laws.

The proposed legislation also seeks to ensure that the L-G is “necessarily granted an opportunity” to give her/his opinion before any decision taken by the Council of Ministers (or the Delhi Cabinet) is implemented.

Delhi is a Union Territory with a legislature and it came into being in 1991 under Article 239AA of the Constitution inserted by the Constitution (Sixty-ninth Amendment) Act, 1991. As per the existing Act, the Legislative Assembly of Delhi has the power to make laws in all matters except public order, police and land.

### Administrative matters

The Aam Aadmi Party-led Delhi government has on many occasions challenged the BJP-ruled Central government regarding administrative matters in the Capital.

The Government of National Capital Territory of Delhi (Amendment) Bill, 2021, was introduced in the Lok Sabha on Monday by Union Minister of State for Home G. Kishan Reddy.

The Bill proposes to amend Sections 21, 24, 33 and 44 of the 1991 Act.

The MHA’s statement on “objects and reasons” of the Bill stated that Section 44 of the 1991 Act deals with conduct of business and there is no structural mechanism for effective time-bound implementation of the said section. “Further, there is no clarity as to what proposal or matters are required to be submitted to Lieutenant Governor before issuing order thereon,” the statement said.

Section 44 of the 1991 Act says that all executive actions of the L-G, whether taken on the advice of his Ministers or otherwise, shall be expressed to be taken in the name of the L-G.

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