

'Can Delhi get executive powers like other States'

The Supreme Court on Tuesday raised a question whether the constitutional scheme on division of executive powers between the Centre and the States can be made applicable to the Union Territory of Delhi.

A five-judge Constitution bench headed by Chief Justice Dipak Misra, which is hearing pleas on who enjoys supremacy in governing the national capital, put the query after noting the submission of senior advocate Indira Jaising that the executive powers of Delhi should be ascertained in the light of the constitutional scheme providing a clear division of powers between the States and the Centre.

'Two captains of a ship'

Ms. Jaising, appearing for the AAP government, said having "two captains of a ship" would lead to chaos.

"How are these provisions applicable in the case of Union Territory of Delhi," the bench, also comprising Justices A. K. Sikri, A. M. Khanwilkar, D. Y. Chandrachud and Ashok Bhushan, asked.

"Everything boils down to day-to-day administration. How can the Centre say that you (Delhi government) cannot have the executive power. I can understand this position on legislative powers," Ms. Jaising said.

She said the court should not be guided by the nomenclature of Delhi as a Union Territory while interpreting Article 239AA and the executive powers of the Delhi government and there should be no "blurring of responsibilities" between the State and the Centre.

END

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