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ईडब्ल्यूएस फ्लैटों का आवंटन इसी वर्ष

नई दिल्ली, वरिष्ठ संवाददाता।
दिल्ली में झुग्गिवासियों को जल्द ही
फ्लैट मिलने जा रहा है।

दिल्ली विकास प्राधिकरण की ओर
से अशोक विहार जेलरवाला बाग में

जहां झुग्गी-वहां मकान योजना के तहत
1675 फ्लैट तैयार कर लिए गए हैं।
जिनके आवंटन की प्रक्रिया इसी वर्ष
मार्च में शुरू की जा सकती है। इन
फ्लैटों का निर्माण कार्य लगभग 90

प्रतिशत तक पूरा हो चुका है। दिल्ली
के उपराज्यपाल वीके सक्सेना ने बीते
वर्ष सितंबर में हुई डीडीए बोर्ड की
बैठक में इन फ्लैटों के आवंटन को
मंजूरी दी गई थी।

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Wednesday, January 11, 2023
DELHI

NAME OF NEWS PAPER THE HINDU

-----DATED-----

'Excluding civil servants from a State's realm negates autonomy'

Delhi government tells Supreme Court that implementation of government policy was dependent on civil servants; SC asks if bureaucrats posted in the Capital in relation to police, public order and land come outside State government's purview

Krishnadas Rajagopal
NEW DELHI

A Constitution Bench led by Chief Justice of India D.Y. Chandrachud on Tuesday asked the Arvind Kejriwal government whether civil servants posted in the national capital in relation to public order, police and land will come outside the purview of the executive power of the Delhi government.

The Bench is hearing a dispute between the Centre and the Delhi government for control over bureaucrats in the Capital.

"If civil servants are posted in relation to Entries 1 [public order], 2 [police] and 18 [land], then it will be outside your executive power... You may have to concede that," Chief Justice Chandrachud addressed senior advocate A.M. Singhvi, appearing for the Delhi government.

A Constitution Bench, in a 2018 judgment, had confirmed the discretionary power of the Lieutenant-Governor over the three Entries – public order, police and land – in the State



At loggerheads: Lieutenant-Governor V.K. Saxena with CM Arvind Kejriwal. The SC is hearing a dispute between the Centre and the Delhi government for control over bureaucrats in the Capital. FILE PHOTO

list of the Constitution. The Legislative Assembly was excluded from exercising powers on these three fields under Article 239AA.

Mr. Singhvi said the three areas cover a "penumbra" of related things. "The police and public order go together anyway. The police come largely in the Central government's favour. There is nothing much I [Delhi government] can do. For land, there are agencies like the Delhi Development Authority

(DDA) and the Land and Development Office [L&DO]," he submitted.

The senior advocate, however, highlighted that "all the civil servants are, by the way, paid for by the Government of the National Capital Territory of Delhi... Even today, with the Lieutenant-Governor asserting a power to create a post, appoint a post, transfer a post, it is nobody's case that the entire thing is not paid for by me. Appropriation Bills are passed by

me," Mr. Singhvi argued for the Delhi government.

Matter of accountability
He said at the core of the case is how "civil servants are accountable to the respective Ministers who, in turn, are accountable to the legislature, which is accountable to the people". He said what was seen in Delhi is how "civil servants in my department are serving a different master".

"In such a case, you have no accountability to

me, a government elected by the people, and can act on your own," Mr. Singhvi submitted.

He said the implementation of government policy was dependent on civil servants.

"Excluding civil servants from a local or State government's realm negates autonomy, which is the very purpose of government in federalism," Mr. Singhvi contended.

In May, a three-judge Bench had, in a judgment, referred to the Constitution Bench the limited question concerning 'services' or bureaucracy for an authoritative pronouncement.

The 2018 judgment, though holding that the Lieutenant-Governor of Delhi was bound by the "aid and advice" of the popularly elected Aam Aadmi Party (AAP) government, had not specifically dealt with the issue of 'services'.

On February 14, 2019, a two-judge Bench of the court had given a split opinion on the question of control over 'services' in Delhi.