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Sunday, Feb 09, 2025 EPAPER TODAY'S PAPER

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Premium

# L-G vs CM: Now 'double engine' on parallel tracks?

Indeed, the BJP's electoral victory Saturday sets the stage for easing of the prolonged legal tussle over the state's "unique constitutional status" between the Centre and the former Aam Aadmi Party-led government.

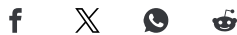
Written by [Apurva Vishwanath](#)

New Delhi | Updated: February 9, 2025 08:14 IST



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Celebrations at the party headquarters after the BJP's win on Saturday. (Photo: Praveen Khanna)

Can Kejriwal in defeat be the Kejriwal on the up and up? Now comes the test

One refrain in the BJP's election campaign in states has been its rhetoric around the benefits of a "double engine" — the party in power in the state working with the NDA-ruled Centre. In Delhi, this rhetoric rings closer home to reality.

Indeed, the BJP's electoral victory Saturday sets the stage for easing of the prolonged legal tussle over the state's "unique constitutional status" between the Centre and the former Aam Aadmi Party-led government.

As it stands now, Article 239AA of the Constitution, keeps services, land, police and public order out of the control of the elected government. While the pre-eminence of the Lieutenant Governor (L-G) was accepted in land, police and public order, the issue of services continued to be a key area of conflict between the Centre and the state.

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**Also Read | Can Arvind Kejriwal in defeat be the Arvind Kejriwal on the up and up? Now comes the test**

Two Constitution benches of the Supreme Court had twice, in 2017 and again in 2023, accepted the Delhi government's position over the Centre's view and held that the Delhi government has legislative and executive powers over administrative services in the national capital.

However, in May 2023, the Centre brought in an amendment to the GNCTD Act extending the L-G's powers to transfer and appoint bureaucrats posted to Delhi.

Political Pulse 1 min ago

With 43.57% of vote share, AAP still has a substantial base in Delhi plus power in Punjab. However, the challenge now will be holding its flock together given its loose structure with Arvind Kejriwal as fulcrum.

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Under the new law, a body with the Chief Minister of Delhi, the Chief Secretary and the Principal Home Secretary of the Delhi government would appoint bureaucrats. If this arrangement continues, it means the CM can, effectively, be vetoed by two senior bureaucrats on the issue of appointments and transfers of bureaucrats.

While this amendment is under challenge by the [Delhi government](#), it is unlikely that a BJP-ruled state would pursue litigation against the Central government led by its own party. Even in a BJP's double-engine government, the Home Ministry, which controls the Delhi Police, will play a key role in the state's governance.

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However, it is unlikely that the Centre will hobble its newly elected government. A synergy between the L-G and the Chief Minister could ease everyday governance in the national capital.

In 2024, the Delhi government had moved the SC that the L-G had refused to release Rs 3,000 crore of funds for the Delhi Jal Board and the 'Farishtey Dilli Ke' scheme, facilitating free medical treatment for road accident victims at city hospitals. Even the issue of sending government school teachers abroad for training had run into controversy. In the multiple rounds of litigation, lawyers described [AAP](#) as "being in office but not in power" to the Court.

With the BJP's double-engine, issues of clearance for land for new projects or funds and approval of schemes becomes easier.

**The Supreme Court's rulings on the governance of Delhi, in accordance with "the basic structure of federalism," was to accommodate the political diversity that Article 239AA envisages.**

STORY CONTINUES BELOW THIS AD

**"The spirit and conscience of the Constitution should not be lost in grammar and the popular will of the people which has its legitimacy in a democratic set up cannot be allowed to lose its purpose in simple semantics," the Supreme Court had said in 2017. The new "popular will," will test the spirit of the court's words.**

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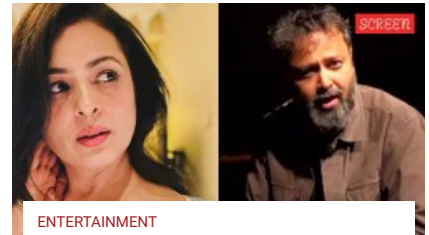
**In his G20 salvo, who is Marco Rubio targeting?**



**Apurva Vishwanath**

Apurva Vishwanath is the National Legal Editor of The Indian Express in New Delhi. She graduated with a B.A., LL. B (Hons) from Dr Ram Manohar Lohiya Nation

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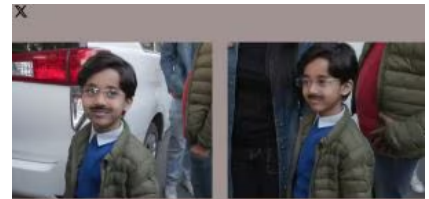
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