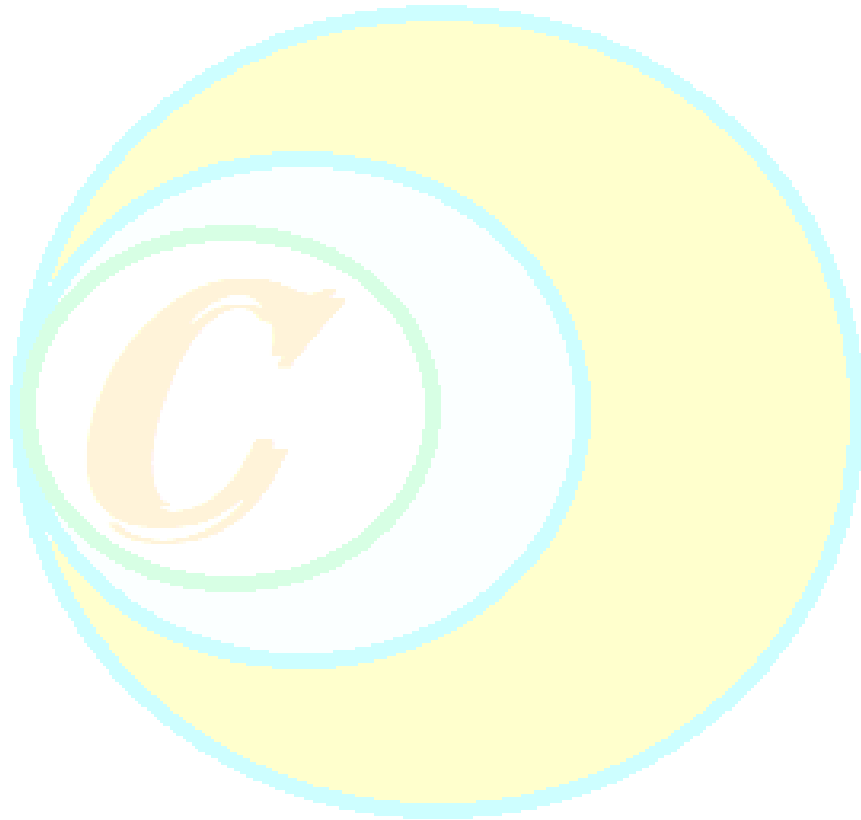


Special Provisions for Delhi



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Special provisions for Delhi in the Indian Constitution are outlined in Articles 239AA and 239AB, which were introduced by the 69th Amendment Act of 1991. These provisions provide Delhi with a unique status as a Union Territory with a Legislative Assembly and a special arrangement for governance. Article 239AA - Special Provisions for Delhi:

1. **Delhi as a Union Territory with a Legislative Assembly:** Article 239AA establishes the National Capital Territory of Delhi (NCT) and designates it as a Union Territory. However, it provides for a Legislative Assembly for Delhi, which means that Delhi has its own elected legislature to make laws on certain matters.
2. **Powers of the Legislative Assembly:** The Legislative Assembly of Delhi has the authority to make laws on various subjects, including police, public order, land, and municipal taxes, similar to a state legislature. However, matters related to public order, police, and land are subject to certain limitations.
3. **Council of Ministers:** The Chief Minister of Delhi is appointed by the Lieutenant Governor and is responsible for the administration of Delhi. The Council of Ministers, headed by the Chief Minister, aids and advises the Lieutenant Governor in the exercise of his/her functions in relation to Delhi.
4. **Reservation of Seats:** Article 239AA specifies that Delhi's Legislative Assembly must reserve a certain number of seats for Scheduled Castes and Scheduled Tribes as per the provisions of the Constitution.

Article 239AB - Special Provisions for Regulation of Legal Practices:

1. **Provisions for Legal Practices:** Article 239AB provides for the establishment of a separate High Court for Delhi, distinct from the High Court of a neighboring state. It empowers the President to establish a High Court for Delhi and appoint judges for it.
2. **Jurisdiction of the High Court:** The High Court of Delhi has jurisdiction over the NCT of Delhi and exercises the powers and jurisdiction that the High Courts of other states and Union Territories have over their respective areas.

These special provisions were introduced to provide Delhi with a unique governance structure. Delhi is distinct from other Union Territories in India due to the presence of a Legislative Assembly with certain legislative powers, similar to those of a state. However, it is important to note that Delhi continues to be a Union Territory and is subject to certain limitations, particularly in matters related to public order, police, and land. The Lieutenant Governor plays a pivotal role in Delhi's administration, working in tandem with the elected government. These constitutional provisions aim to strike a balance between democratic governance and the national significance of Delhi as the capital of India.

Here are 10 more important points about the special provisions for Delhi in the Indian Constitution:

1. **Delhi's Unique Status:** Delhi's status as a Union Territory with a Legislative Assembly is a unique arrangement in India, reflecting its role as the national capital.

2. **Dual Governance:** Delhi has two centers of power - the elected government headed by the Chief Minister and the Lieutenant Governor, who represents the President of India. This dual governance structure has led to occasional administrative and political tensions.
3. **Public Order, Police, and Land:** Article 239AA(3)(a) specifies that matters related to public order, police, and land come under the jurisdiction of the Lieutenant Governor. This provision has been a source of frequent disagreements between the elected government and the Lieutenant Governor.
4. **Important Administrative Functions:** Delhi's administration is responsible for important functions like education, healthcare, transport, and urban development, making it a significant Union Territory.
5. **Representation in Parliament:** Delhi is represented in the Indian Parliament by three Members of Parliament (MPs) - one from the Lok Sabha (House of the People) and two from the Rajya Sabha (Council of States).
6. **State Assembly-Like Powers:** The Delhi Legislative Assembly has powers similar to those of state legislatures in India, making it responsible for enacting laws on various subjects, including health, education, and transport.
7. **Judicial System:** Delhi has its own district-level and sessions courts, but the High Court of Delhi, established under Article 239AB, is the highest court

within its jurisdiction. Appeals from the High Court of Delhi go to the Supreme Court of India.

8. **Scheduled Areas:** Delhi does not have any scheduled areas or tribal populations like some other states and Union Territories in India.
9. **Elected Representatives:** Delhi's Legislative Assembly consists of elected representatives, known as Members of the Legislative Assembly (MLAs), who represent the different constituencies of Delhi.
10. **Local Bodies:** Delhi also has local bodies, such as the Municipal Corporation of Delhi (MCD) and the New Delhi Municipal Council (NDMC), which are responsible for local governance and municipal functions.

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