The Particulars of Organization, functions and duties

1. Delhi is a Union Territory as per the First Schedule of the Constitution of India and it is administered by the President acting, to such extent as he thinks fit, through an Administrator to be appointed by him **(under Article 239)**. As from the date of commencement of the Constitution (Sixty-ninth Amendment) Act, 1991, the Union Territory of Delhi is called the National Capital Territory of Delhi and the Administrator thereof appointed under **Article 239** is designated as the Lieutenant Governor. (**Article 239AA**).

2. The powers and functions of the Lt. Governor of NCT of Delhi are derived from the following sources:-

   (i) Provisions of the Constitution.


   (iv) Rules and Regulations made under the GNCT Act and various Acts of Parliament such as the Delhi Police Act 1978, DDA Act 1957, DMC Act 1957, Environmental Protection Act. etc.

   (v) In exercise of his powers as “Government” under the provisions of various Acts passed by Parliament and Delhi Legislative Assembly.

   (vi) Delegation through executive orders issued under **Article 239(1)** by the President under various law.
3. Following relevant Constitutional Provision specifically indicates the role of the Lieutenant Governor:

**Article 239(1), Article 239(2), Article 239AA, Article 239AB** of the Constitution specifies that the Council of Ministers, with the Chief Minister as its head, shall render aid and advice to the Lieutenant Governor in exercise of his functions in relation to matters with respect to which the Legislative Assembly has power to make laws, except in so far as he is, by or under any law, required to act in his discretion.

**Article 309** and concerned entries in the scheduled lists.

“Recruitment and conditions of service of persons serving the Union or a State.—Subject to the provisions of this Constitution, Acts of the appropriate Legislature may regulate the recruitment, and conditions of service of persons appointed, to public services and posts in connection with the affairs of the Union or of any State: Provided that it shall be competent for the President or such person as he may direct in the case of services and posts in connection with the affairs of the Union, and for the Governor of a State or such person as he may direct in the case of services and posts in connection with the affairs of the State, to make rules regulating the recruitment, and the conditions of service of persons appointed, to such services and posts until provision in that behalf is made by or under an Act of the appropriate Legislature under this article, and any rules so made shall have effect subject to the provisions of any such Act.”

4. Lt. Governor is also Appellate/Revisional Authority under various Acts/Rules/Regulations as applicable in Delhi. Some of these are:-

(I) Section 4 of the Delhi School Education Act in respect of orders of non-recognition or de-recognition of schools.

(II) Section 51 of Delhi Police Act, 1978 in respect of the orders of internment.

(III) Section 18 of the Arms Act, 1959 in respect of refusal or cancellation of arms license.

(IV) Indian Forest Act, 1927.


(IX) The Drug and Cosmetics Act, 1940.

(X) The Delhi Land Holding (Ceiling) Act, 1960.

(XI) Delhi Specified Articles (Regulation and Distribution) order, 1981.

(XII) Delhi Agricultural Produce Marketing (Regulation) Act, 1998

(XIII) Regulation for keeping places of public entertainment in the Union Territory of Delhi, 1980.

(XIV) Regulations for licensing and controlling places of public amusement (other than cinema) and performances for public amusement, 1980.

(XV) Explosives Act, 1884.

(XVI) Bombay Home Guard Act, 1947.


(XVIII) DDA Conduct, Disciplinary and Appeal Regulation, 1999.

(XIX) DMC Services (Control & Appeal) Regulation, 1959.

5. The secretariat of the Lieutenant Governor functions with the support of the officials, whose details are available under manual (9). Secretary to the Lieutenant Governor is the Head of Department and the Deputy Secretary (Admn.) is the Head of Office for the Secretariat.