

Where the substantive power has been conferred upon a Court or Tribunal, all incidental and ancillary powers necessary for what is an effective exercise of the substantive power have to be inferred.

“12. The jurisdiction of the Commission to entertain and decide complaints necessarily means that where plurality of person claim the same relief, simultaneously disputing each other’s right to claim the said relief, the Commission has the necessary power to adjudicate the rival claims and decide the said dispute also. This power flows from an is incidental and ancillary to the substantive power conferred by Section 21 (a)(i) read with Section 22 which applies sub-sections (4), (5) and (6) of Section 13 to the National Commission as well. It is wellsettled that where a substantive power is conferred upon a court or tribunal, all incidental and ancillary powers necessary for an effective exercise of the substantive power have to be inferred. See *Khyerbari Tea Company Limited & Another v. State of Assam & others* [A.I.R. (1964) S.C. 925 at 935]. The rule as quoted n Craies is “one of the first principles of law with regard to the effect of an enabling act is that a legislature enables something to be done, it gives power at the same time by necessary implication to do everything which is indispensable for the purpose of carrying out the purpose in view.”

***C.E. Officer & Vice Chairman, Gujarat Maritime Board v. Shri Haji Daud Haji Harun Abu* 1996 (11) SCC 23**