

(84) (31) (127)

**HIGH COURT MATTER**  
**MOST URGENT.**

No. 5-46/2005TW(PF)/40  
ANDAMAN AND NICOBAR ADMINISTRATION  
Directorate of Tribal Welfare.

Port Blair, dated the 14<sup>th</sup> January, 2006.

To

The Director (ANL),  
Government of India,  
Ministry of Home Affairs,  
New Delhi.

Sub:- W. P. No. of 2005 - Ranchi Association,  
Port Blair - Vs. - Union of India & Others -  
Regarding.

Madam,

Please refer to your letter No. U-14040/37/2005-ANL dated 28<sup>th</sup> October, 2005 regarding the subject mentioned above. Also refer to Ministry's letter No. U-3034/127/2005-ANL dated 27<sup>th</sup> September, 2005 in the above context.

The issue has been examined in the Administration in consultation with the local Law Section and also the Advocate-on-Panel of the Administration. In this context it is felt necessary to apprise the Ministry about the said case as under: -

The crux of the legal point in the instant writ petition filed by Ranchi Association is the applicability of the judgement of the Supreme Court to the Andaman & Nicobar Islands. The Pondicherry Government has adopted a policy of appointing the members from the Scheduled Castes and Scheduled Tribes of other States for the posts in the Union Territory of Pondicherry. This policy and practice has been found by the Supreme Court as not suffering from any legal infirmities while dispensing the judgement in the case of S. Pushpa & Others - Vs. -- Shiva Shanmugavelu & Others in the CA No. 4 - 5 of 1998 which has been invoked by the Ranchi Association in the instant writ petition.

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