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Subject:

Para  
No.

- (iii) Article 240 of the Constitution confers powers of President to make Regulation for certain UTs including Pondicherry and A&N Islands subject to satisfaction of certain conditions laid down in the two provisos appended to clause (i) of this article Clause(2) of the article 240 lays down that any regulation so made by the President may repeal or amend and Act made by Parliament or any other law which is for the time being applicable to the UT and when promulgated by the President shall have the same force and effect as an Act of Parliament, which applies to that territory.
- (iv) Article 239 and 240 of the Constitution clearly show that the UT of Pondicherry is administered by the President through an administrator ( Lt. Governor) appointed by him and when the legislature is dissolved or is not functioning, the President is empowered to make regulation for peace progress and governance of the UT of Pondicherry.
- (v) Clause 2 (b) of Article 230 provides that where the High Court of a State exercises jurisdiction in relation to a UT. the reference in article 227 to the governor shall in relation to any rules forms or tables for subordinates courts be constructed as reference to the President.
- (vi) The Central Govt. has issued several orders and circulars extending the benefit to SCs of other States in the matter of employment in the UT of Pondicherry which needs to be noticed. In this context, the contents of the D.O letter dated 4/2/1974 of the Joint Secretary, Govt. of India, Ministry of Home Affairs to Lt. Governor of Pondicherry are reproduced below:-

" So far as reservations for SCs/STs candidates in posts/services under the Central Govt. are concerned, the concession is admissible to all SCs and STs which have been recognized as such under the orders issued from time