

RANCHI ASSOCIATION

Andaman & Nicobar Islands (Reg. No.88)

Port Blair

Ref No... RA/11/05

Date: ...18-03-2005

To,

The Lieutenant Governor
A & N Islands,
Raj Niwas,
Port Blair.

Subject:- Request to implement the supreme court judgment and order for the appointment of Migrated Scheduled Tribes against the reserved S.T post/service/Technical & Non Technical higher education quota under Andaman & Nicobar Union Territory Administration reg:-

Hon'ble Sir,

With due respect I would like to submit for your information and kind consideration, the Supreme Court order & Judgment 2005 SCCL. Com. 97 (case No. Civil Appeal Nos 6-7 of 1998 (with C.A.45) of 1998). S. Pushpa & others Applicants versus Sivasanmugavelu and others Respondents.

Judge (s) Hon'ble the chief Justice Hon'ble Mr. Justice, K.G. Bala-Krishnan and Hon'ble Mr. Justice G.P. Mathur due date of Judgment 11.02.05.

In this judgment the following points are to be noted.

S.C/S.Ts retain status even after migration to another state the bench gave this ruling quashing an order passed by Chennai Bench of the central Administrative, Tribunal setting aside the appointments of migrants SC/STs by the Pondicherry Government.

(ii) The Administrator (Lt Governor of Pondicherry and his council of ministers act under the general control of and are under obligation to comply with any particular direction issued by the president. Further the administrator (Lt. Governor) of Pondicherry while acting under the scope of the authority given to him under Article 239 of the constitution would be the central government.

(iii) The services and post for U.T of Pondicherry are treated like central services and posts and in the matter of reservation in post and services for scheduled castes and scheduled tribes. The government of Pondicherry is bound by the policy prescription and rules and orders of government of India.

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