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Parliament or any other law which is applicable to the said territory and shall have the same force and effect as an Act of Parliament.

12. Certain other provisions of the Constitution also deserve to be noticed here. Under clause (1) of Article 230, Parliament may by law extend or exclude the jurisdiction of a High Court from any Union territory. Clause (2)(b) of the said Article provides that where the High Court of a State exercises jurisdiction in relation to a Union territory, the reference in Article 227 to the Governor shall, in relation to any rules, forms or tables for subordinate courts in that territory, be construed as a reference to the President. Similar provision is contained in Article 231(2)(b). These provisions again show that the position of a Union territory is different from that of a State and the head of administration of a Union territory is the President of India.

13. Some other statutory provisions which have a bearing on the controversy are being reproduced below:

Section 3(8) of the General Clauses Act, 1897:

(8) "Central Government" shall -

(a)
(b) in relation to anything done or to be done after the commencement of the Constitution mean the President, and shall include,

(i)

(ii)

(iii) In relation to the administration of a Union territory, the Administrator thereof acting within the scope of the authority given to him under Article 239 of the Constitution.

Section 3 of the Pondicherry (Administration) Act, 1962:

3. *Offers and functionaries in relation to Pondicherry.* Without prejudice to the

powers of the Central Government to appoint from time to time such officers and authorities as may be necessary for the administration of Pondicherry, all courts, tribunals, authorities and officers, whether in India or in the former French Establishments, who immediately before the appointed day, were exercising lawful function in connection with the administration of those Establishments or any part thereof, including the Council of Government and Representatives Assembly, shall, unless otherwise directed at any time by the Central Government or the Administrator in relation to any such court, tribunal, authority or officer, or until other provision is made by law, continue to exercise in connection with the administration of Pondicherry their respective duties and functions in the same manner and to the same extent as before the appointed day with such altered designation, if any, as that Government may determine.

Section 50 of the Government of Union Territories Act, 1963:

50. *Relation of Administrator and his Ministers to President* - Notwithstanding anything in this Act, the Administrator and his Council of Ministers shall be under the general control of, and comply with such particular directions, if any, as may from time to time be given by, the President."

14. The effect of these provisions is also that the Administrator (Lt. Governor of Pondicherry) and his Council of Ministers act under the general control of and are under an 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.