

15. The Central Government has issued several orders and circulars extending the benefit to SC candidates of other States in the matter of employment in the U.T. of Pondicherry which need to be noticed. A D.O. letter was sent by the Joint Secretary, Government of India, Ministry of Home Affairs, to the Lt. Governor of Pondicherry on 4.2.1974 and the same is being reproduced below:

15 ".....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 to time irrespective of the State/Union Territory in relation to which particular castes or tribes have been recognized as SCs/Tribes. Thus for a reserved vacancy in a Central Govt. office located in a State, any SC candidate throughout the country would be eligible. Since Pondicherry is a Union Territory all orders regarding reservations for scheduled castes/tribes issued by the Dept. of Personnel in respect of posts/services under the Central Govt. are applicable to posts/services under the Pondicherry Admn. Also as such a SC/Tribes candidate from outside Pondicherry should also be eligible for a vacancy reserved for SCs/STs in the Union Territory Admn."

35 After receipt of the aforesaid letter from Government of India, the General Administration Department of the Government of Pondicherry issued a Government Order dated 16.2.1974 which reads as under:

40 "In view of the clarifications of the Govt. of India all Secretariat Departments, Heads of Departments/Officers are informed that SCs/tribes candidates from outside the Union Territory of Pondicherry should also be considered

for appointment to posts reserved for SCs/Tribes in this Admn. These instructions should be followed strictly."

The Government of Pondicherry also issued a circular on 6.1.1993 issuing clarifications regarding two points and the second one was regarding the Government Order dated 16.2.1974 (reproduced above). Paras 2 & 3 of this circular read as under:

"2. The reference second cited is again brought to notice for information and guidance. It has been stated therein that for a reserved vacancy in a Central government Office located in a State any Scheduled Caste candidate throughout the country would be eligible. It has therefore been clarified that since Pondicherry is a Union Territory, all orders regarding reservation for Scheduled Caste/Scheduled Tribe issued by the Department of Personnel in respect of posts/services under the Central Government are applicable to posts/services under the Pondicherry Administration also. Hence, as such, a Scheduled Caste/Scheduled Tribe candidate from outside Pondicherry would also be eligible for a vacancy reserved for Scheduled Caste/Scheduled Tribe in the Union Territory Administration."

3. However, in the case of other benefits like scholarships, admission to educational institutions etc., the benefits should be confined to the Scheduled Caste of this Union Territory."

It appears that Government of Pondicherry sought some clarifications from the Central Government regarding admissibility of reservation benefit to migrant SC/ST candidates vide their letter dated 21.9.1995. This was replied to by the Ministry of Welfare, Government of India vide their letter dated 6.10.1995 and the relevant part thereof is reproduced below:

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16. Th Government been procee Union terr reservation I services and applicable Pondicherry SC/ST can recognized a by the Preside of the State which partic recognized reserved pos Government. reserved posts administrati

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