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(bunal) have  
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the Presidential  
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Scheduled Castes and Scheduled Tribes  
say of Maharashtra in the instant case,  
do require protection in the State of  
Maharashtra, which will have to be in  
balance to other communities....."

Reliance has also been placed on the  
following observation in Action Committee  
case (supra):

"The Constitution Bench has, after  
referring to the debates in the Constituent  
Assembly relating to these articles,  
observed that while it is true that a person  
does not cease to belong to his caste/tribe  
by migration he has a better and more  
socially free and liberal atmosphere and  
if sufficiently long time is spent in  
socially advanced areas, the inhibitions  
and handicaps suffered by belonging to  
a socially disadvantageous community  
do not truncate his growth and the natural  
talents of an individual gets full scope to  
blossom and flourish. Realising that these  
are problems of social adjustment it was  
observed that they must be so balanced  
in the mosaic of the country's integrity  
that no section or community should  
cause detriment or discontentment to the  
other community. Therefore, said the  
Constitution Bench, the Scheduled  
Castes and Scheduled Tribes belonging  
to a particular area of the country must  
be given protection so long as and to the  
extent they are entitled to in order to  
becoming equals with others but those  
who go to other areas should ensure that  
they make way for the disadvantaged and  
disabled of that part of the community  
who suffer from disabilities in those  
areas".

8. Before the Tribunal it was pleaded on  
behalf of the appellants that the Legislative  
Assembly of U.T. of Pondicherry has not been  
vested with powers to make laws in relation  
to public services of the Union territory and  
consequently the President of India is the

repository of all powers with regard to public  
services of the Union territory and with regard  
to the persons appointed in connection with  
the affairs of the Union territory. The  
President has delegated to the Lt. Governor  
of Pondicherry power to frame rules for  
regulating the method of recruitment to the  
civil services and posts in Grade 'A', 'B', 'C'  
and 'D' under his administrative control in  
connection with the affairs of the Union  
territory and also the conditions of service of  
persons appointed to such services. While  
making rules for appointment in Grade 'A'  
and 'B' posts, the Lt. Governor has to act  
subject to prior consultation with the Union  
Public Service Commission. The services and  
posts for U.T. of Pondicherry are treated like  
Central services and posts, and in the matter  
of reservation in posts and services for  
Scheduled Castes, the Government of U.T. of  
Pondicherry is bound by the policy  
prescription and the rules and orders of  
Government of India.

9. The Policy of the Government of India,  
whereunder all SC/ST candidates get benefit  
in the matter of appointment and admission  
in educational institutions controlled/  
administered by the Central Government has  
been reproduced in para 18 of the judgment  
in Marri Chandra Shekhar Rao (supra) and  
the relevant part thereof reads as under:

*Education* "Scheduled Castes and Scheduled Tribes  
are entitled to derive benefits of the all-  
India Services or admissions in the  
education institutions controlled/  
administered by the Central  
Government, irrespective of the State to  
which they belong. The reservation in  
force in favour of the Scheduled Castes  
and Scheduled Tribes in filling vacancies  
in posts and services under the  
Government of India are as in the  
enclosure (Chapter II of the brochure on  
the Reservation for Scheduled Castes and  
Scheduled Tribes in Government Services)