Scheduled Castes on the post of Selection Grade Teachers. The view to the contrary take- by the Tribunal cannot, therefore, be sustained and has to be set aside. (Para 22).

Distinguished: Marri Chandra Shekhar Rao vs Dean, SGS Medical College & Ors. [(1990) 3 SCC 130 = 1990 Supp.(1) SCALE 3]; State of Maharashtra vs Union of India & Anr. [(1994) 5 SCC 244 = 1994(3) SCALE 358].

Relied: T.M. Kanniyan vs Income Tax Officer [(1968) 2 SCR 103 : AIR 1968 SC 367]; New Delhi Municipal Council vs State of Punjab [(1997) 7 SCC 339 = 1996(9) SCALE 613].

G.P. Mathur, J.— These appeals, by special leave, have been preferred against the judgment and order dated 5.11.1996 of the Central Administrative Tribunal (Madras Bench) by which O.A. No. 199/1996 and O. A. No. 214/1996 were allowed and selection made of migrant Scheduled Caste candidates against the quota reserved for Scheduled Castes on the post of Selection Grade Teachers in the selection held in the year 1995 in the Union territory of Pondicherry was declared as illegal and invalid, and a further direction was issued to review the selection process with regard to the reserved quota by excluding the migrant Scheduled Caste candidates who had migrated after the relevant notification had been issued in the year 1964.

2. The Directorate of Education, Government of Pondicherry, issued an advertisement for making recruitment of 350 General Central Service Group "C" posts of Secondary Grade Teachers (for short 'SGT') wherein 56 posts were reserved for Scheduled Caste candidates (for short SC candidates). In response to the notification, the employment exchange sponsored the names of candidates in respect of various categories including SC candidates as requested by the Department. Besides, as envisaged and in conformity with the National Employment Service Manual, the employment exchange also sponsored some names of SC candidates from neighbouring employment exchanges as sufficient number of SC candidates were not available in Yanam and Mahe region of Union territory of Pondicherry. The employment exchange, Pondicherry sponsored 118 candidates. The employment exchange of Badagara (Kerala) sponsored 4 candidates for Mahe, the employment exchange Yanam sponsored 15 candidates and employment exchange Vishakhapattnam (AP) sponsored 139 candidates for Yanam. After holding interview a final Selection List was prepared and out of 55 finally selected SC candidates, 29 candidates had produced community certificates from the Governments of Tamil Nadu, Andhra Pradesh and Kerala, based on which the revenue authority of Pondicherry had issued community certificates to them. The remaining 26 candidates produced community certificates from the revenue authority of Pondicherry. The contesting respondents in these appeals filed O.A. No. 199 of 1996 and O.A. No. 214 of 1996 before the Central Administrative Tribunal (Madras Bench) challenging the selection of aforesaid SC candidates basically on the ground that a migrant SC candidate belonging to another State is not eligible for appointment on a post which is reserved for a SC candidate for Union Territory (hereinafter for short 'UT') of Pondicherry and also for a direction to appoint original inhabitants of Scheduled Caste origin belonging of UT of Pondicherry. The Central Administrative Tribunal (hereinafter for short 'Tribunal'), relying upon the decisions in *Marri Chandra Shekhar Rao vs. Dean, SGS Medical College & Ors.* 1990 (3) SCC 130 and 'Action Committee on Issue of Caste Certificate to Scheduled Castes