Section 44

(1) There shall be a Council of Ministers in each Union territory with the Chief Minister at the head to aid and advise the Administrator in the exercise of his functions in relation to matters with respect to which the Legislative Assembly of the Union territory has power to make laws except in so far as he is required by or under this Act to act in his discretion or by or under any law to exercise any judicial or quasi-judicial functions:

Provided that, in case of difference of opinion between the Administrator and his Ministers on any matter, the Administrator shall refer it to the President for decision and act according to the decision given thereon by the President, and pending such decision it shall be competent for the Administrator in any case where the matter is in his opinion so urgent that it is necessary for him to take immediate action, to take such action or to give such direction in the matter as he deems necessary.

Provided further that in the Union territory of Mizoram every decision taken by a Minister or by the Council of Ministers in relation to any matter concerning any area
comprised in any autonomous district in the Union territory under the Sixth Schedule to the Constitution shall be subject to the concurrence of the Administrator and nothing in this sub-section shall be construed as preventing the Administrator in case of any difference of opinion between him and his Ministers from taking such action in respect of the administration of such area as he, in his discretion considers necessary.

Provided also that in the Union territory of Delhi, every decision taken by a Minister or by the Council of Ministers with respect to law and order including organization and discipline of the police force in that Union territory or with respect to any matter concerning New Delhi shall be subject to the concurrence of the Administrator, and nothing in this sub-section shall be construed as preventing the Administrator in case of any difference of opinion between him and his Ministers from taking any action with respect to the matters aforesaid as he, in his discretion considers necessary.

Explanation - In the foregoing proviso, "New Delhi" means the area within the boundaries described in the First Schedule to the Delhi Municipal Corporation Act, 1957.

(2) In the exercise of his functions, the Administrator of the Union territory of Mizoram shall have special responsibility for the security of the border and for that
purpose he may issue such directions as he may think necessary.

(3) If and in so far as any special responsibility of the Administrator is involved under this Act, he shall, in the exercise of his functions, act in his discretion.

(4) If any question arises as to whether any matter is or is not a matter as respects which the Administrator is by or under this act required to act in his discretion, the decision of the Administrator thereon shall be final.

(5) If any question arises as to whether any matter is or is not a matter as respects which the Administrator is required by any law to exercise any judicial or quasi-judicial functions, the decision of the Administrator thereon shall be final.

(6) The question whether any, and if so what, advice was tendered by Ministers to the Administrator shall not be inquired into in any court."