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In view of the above circumstances, the Administration has referred the proposal in the above lines for advice of the Ministry of Home Affairs the further course of action to be taken in this regard, so that the Affidavit in-opposition could be filed in the Hon'ble High Court, Calcutta, Circuit Bench at Port Blair. (A copy of letter dated 14.1.2006 addressed to Director (ANL), Ministry of Home Affairs, New Delhi is placed at page 51-52/c for perusal please). No communication as yet has been received from the Ministry of Home Affairs, while Circuit Bench of Calcutta High Court is scheduled to hold its court from 5.6.2006.

The Legal Department of the Administration vide note at para 122-123/n on page 53/c has stated that the benefit of reservation can only be given to the Scheduled Tribes of these Islands notified by the Govt. of India in the **Constitution (A&N Island) Scheduled Tribes Order 1959**. If such benefit is extended to any other Tribes belonging from other States, it will open a flood gate for the Scheduled Tribes from all other States and UTs.

As such, the matter relating to reservation for migrant STs is subjudice or until the case is decided it may not be appropriate to give any specific comments on the demand of Ranchi Association.

If approved, a reply in the above lines may be recorded in the file of Home Section, Secretariat placed below.

Submitted please.

Assistant Commissioner (TW)  
(T4-cc by Ranchi Asso- for reserved posts)

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RD No: 3641  
Date: 05/06/06  
Part. Cell of Secy (TW)

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