

Subject: - 14 -

Para
No.

(36)

So far as the UT of A&N Islands is concerned, there are six scheduled Tribes viz: Great Andamanese, Onges, Jarawas, Sentinelese, Shompens and Nicobarese declared as Scheduled Tribes by the constitutional order No.58 dated 31st March 1959 as subsequently amended vide SCs/STs order (amendment) Act, 1976 (108 of 1976) (a copy is placed at pages 133-138/C for reference).

(37)

There is 12 % reservation for STs of A&N Islands in group 'C' and 'D' posts under the A&N Administration as per Govt. of India, Department of Personnel and Training's O.M.No.36013/4/85-Estt (SCT) dated 24th May 1985 (copy is placed at pages 139-140/C for reference). Though this UT too is administered by the President of India through the Lt. Governor appointed by him under article 239 of the Constitution, the benefit of reservation in Group 'C' and 'D' posts filled on regional basis by the various Departments of the Administration is not extended to any STs of other States / UTs. In other words, only STs of this UT are considered for appointment against the reserved posts for STs under this Administration and none else.

(38)

With regards to implementation of the judgement of the Hon'ble Supreme Court dated 11/2/2005 in the context of the posts reserved for the STs under this UT Administration as demanded by Ranchis Association, it is pointed out that there is no direction in the said judgement that other UTs including the UT of A&N Islands shall extend benefit of reservation to migrant STs of other States/UTs. Moreover, the direction of the Supreme Court is specific to the selection of Selection Grade Teachers in the UT of Pondicherry.

(39)

However, the Law Department of the Administration may be requested to examine whether the judgement dated 11/2/2005 of the Hon'ble Supreme Court in the matter of selection of Selection Grade Teachers under the Administration of UT of Pondicherry is applicable to the migrant STs of A&N Islands in relation to their