

draft

114

F. No. 1-554/2006-TW/.....
अण्डमान तथा निकोबार प्रशासन
ANDAMAN & NICOBAR ADMINISTRATION
जनजातीय कल्याण निदेशालय
DIRECTORATE OF TRIBAL WELFARE

Port Blair, dated the 12th June 2006

To

The Assistant Secretary (Personnel),
A & N Administration,
Port Blair.

Sub: - Memorandum/representation submitted to the Prime Minister during his visit to the A & N Islands on 3 to 5 January 2006.

Sir,

In continuation of this office UO note No.1-554/2006-TW/403 dated 26.5.2006, regarding the above mentioned subject (Copy enclosed), I am directed to furnish the comments of Tribal Department on each of the following two issues as under: -

Point No. 1 - Implementation of the Supreme Court Order 2005, SCCI.Com1997 date of Judgement 11.2.2005 in A & N Islands.

In this regard it is stated that the Ranchi Association, A & N Islands, Port Blair has filed a Writ Petition in the Circuit Bench of Calcutta High Court at Port Blair pleading for resultant benefit from the Supreme Court judgment dated 11th February 2005 in Civil Appeal No. 6-7 of 1998 pertaining to recruitment of migrant SCs of other states by Government of Pondichery, for the migrant STs of the other States particularly the STs from Ranchi of Jharkhand. The writ petition has been admitted vide No. WP 169/2005. The Union of India including and the A & N Administration are respondents.

The case came up for hearing on 28.3.2006. in which the Hon'ble Court passed an order directing the respondents to file affidavit in opposition. Accordingly, the Administration has taken up preparation of affidavit in opposition in consultation with the Government of India, Ministry of Home Affairs vide this Administration letter No 5-46/2005-TW(PF)/40 dated 14th January 2006.

The legal department of the Administration has stated that the benefit of reservation can only be given to the Scheduled Tribes of these Islands notified by the Government of India in the constitution (A & N Island) Scheduled Tribes Order/1955. 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.