

124

28

170

-2-

- (c) Consider students from the Ranchi community against seats reserved for the ST students of this UT in various RECs (presently NITs) as well as against such reserved seats in other professional courses available for the ST students of this UT.

This representation was examined in consultation with the Law Department of this Administration in detail. The Law Department of this Administration was of the considered opinion that the said case as above-cited has a specific background and is related to the situation prevailing in the UT of Pondicherry. As such, implementing the decisions handed out in the said case suo-moto in any other UT may not be possible, more so, when there is no such directive or ruling for application of the principles involved in the said decision to any other UT. Besides, there is a decision of the Calcutta High Court passed in the case of Local Born Association - Vs - UOI which was later confirmed by the Hon'ble Supreme Court by dismissing the SLP filed by the Ministry of Home Affairs, restricting the benefits meant for the STs/SCs to only such castes/tribes as have been notified under the Schedule in respect of the UT of A & N Islands (Appellate Civil Jurisdiction of Calcutta High Court in FMAT No.3 of 1996).

Under the circumstances, this Administration is not in a position to accede to the request of the Ranchi Association to extend the benefits granted by the Supreme Court in the case of S Pushpa and Ors - Vs - Sivasanmugavelu and Ors to this Union Territory nor agree to recommend the demand to declare the Ranchi community as a Scheduled Tribe of this UT. This Administration feels that the Ranchi community are far more advanced than even the most advanced of the Scheduled Tribes of these Islands namely the Nicobarese, let alone the other five primitive tribal groups. However, the representation of the Ranchi Association and the opinion of the Administration thereon are brought to the notice of Ministry of Home Affairs for further necessary advice in this regard.

Yours faithfully,

Purecthon
(PK Goel)

Secretary (Tribal Welfare)

Secretary (

Andaman and Nicobar Admn.
PORT BLAIR - 744 101

Encl:-As above

ok
ind
h
20/12