

Sl. No. 215

36

No. 1-467/2001-TW/ 367
ANDAMAN AND NICOBAR ADMINISTRATION
DEPARTMENT OF TRIBAL WELFARE

Port Blair, dated the 21st May, 2001

To

The Under Secretary to Govt. of India,
Ministry of Home Affairs,
New Delhi.

***Sub : Proposal relating to amendment of A & N Islands (Protection of
Aboriginal Tribes) Regulation 1956 -Reg***

Sir,

I am directed to refer to your letter No. U-11023/7/99-UTL dated 1.12.2000 addressed to the Chief Secretary, A & N Administration on the abovementioned subject and to clarify the points raised in your letter in the context of the proposed amendment to the Regulation as under.

As per existing provisions of section-8 of the Regulation, the quantum of punishment, both imprisonment and fine is left at the discretion of the trial court and the punishment awarded in the cases relating to violation of the provisions of the Tribal Regulation did not have much impact on the offenders. Consequently the violation of provisions of the Regulation continued unabated, causing disruption of life of the tribals in the reserved area. Therefore, this Administration formulated a proposal for prescribing minimum punishment, that is, imprisonment for one year extendable upto 3 years and fine of Rs. 5000/- extendable up to Rs. 10,000/- in place of the existing provision for punishment of imprisonment which may extend to one year or fine which may extend to Rs. 1000/- or both and sent to Govt. of India, Ministry of Home Affairs vide this Admn.'s letter No. 1-143/91-TW dated 19th Nov., 1991. The above proposal for amendment alongwith the other proposals of the Administration was considered by the expert group constituted by the Ministry of Home Affairs and it was accepted with certain modifications as conveyed vide fax message No. U-11023/U/97-UTL dated Nil of the Ministry of Home Affairs.

Contd.2/