

(from pre-page)

- (i) The proposed amendment, if approved, will strengthen the Police administration and the Judicial authority will not have the discretion of awarding the offender a fine of Rs.500/- and then set him free.
- (ii) The Home Ministry's observation **"that severe punishment as suggested by the Administration is normally prescribed in the law aimed at removing the social evils"**. The observation of the Ministry is appropriate under the circumstances in which dispute/differences are between parties with equal socio-economic and cultural background. But in the context of tribals, special provisions like PAT Regulation was enacted to provide a tool to this administration to interfere on behalf of tribals so that poor innocent tribals are not swept away by the strong winds of social, economic and cultural change blowing from non-tribals. Therefore, the unhindered growth of population of non-tribals has resulted in growth of non-tribals population in Nicobar District from 589 in 1961 to 14,355 in 1991 (2337%) while the Tribal population has increased from 13974 in 1961 to 24853 in 1991 (77%). The non-tribal population has already exceeded the tribal population in the Islands of Katchal and Kamorta. These statistics make it clear that steps need to be taken in order to control the influx in future which can be best achieved by the proposed amendment of section 8 of PAT Regulation duly approved by Expert Group of MHA as under :-

Proposed Amendment :

"In place of punishment upto three years the punishment may be for a period of one year in place of Rs.5000/- extendable upto Rs.10,000/- 'or' may be replaced by 'and' as above"

In view of the circumstances stated above, it would be justifiable that the proposed amendment to the Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 should be carried out as suggested.

Submitted for approval of Hon'ble LG.

C.S.

L.G.

May also see before this
can be dismissed.

8/6/02

C.S.

Secy (Law)

10/6/02

(Sanjiv Kumar)
Secretary(TW)

08.06.2002

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21/Secy (TW)

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