

(102)

The matter was discussed with Chief Secretary in presence of Secretary(TW) and Director(TW).

(103)

This is a proposal for amendment in the A&N Islands ( Protection of Aboriginal Tribes) Regulation, 1956 regarding the enhancement in the penalties for the offences committed. The grounds for initiation of this proposal was elaborately discussed by Secretary(TW) in his note date 8.6.2002 vide para 91 to 99/n.

(104)

The Regulation provided for penalties for the contravention of the provisions of section 6 and 7 of said Regulation. The penalties as provided in section 8 are the punishment with imprisonment which may extend to one year or fine which may extend to Rs. 1000/- or both. The penalty provided in the said Regulation appears to be too mild to have any deterrent effect on the non-tribal intruders. The fine of Rs. 1000/- which might have been a big amount in 1956 has since become a paltry sum. Therefore, there is more than sufficient justification to increase the fine amount sufficiently to have a deterrent effect on the non-tribal intruders.

(105)

It was decided in the meeting that the penalties under section 8 of the Regulation should be amended as to be "imprisonment which may extend to one year and fine which may extend to Rs. 10,000/-" Though the terms of imprisonment remain same but the high amount of fine is expected to act as a deterrent to the non-tribal intruders. The enhanced penalties should be incorporated by an amendment to the section 8(1), 8(2) and 8(3) of the Regulation and to be promulgated by the President of India.

Submitted please.

28/6/2002

(TK Gupta)  
Secretary(Law)

Chief Secretary

We may take up the matter with Govt. for approval.

Dr. R. Padmanabhan  
Chief Secretary

C.S. (Law)

Jup

DTW Secy(Tw) Number 4/7

महाराष्ट्र सरकार

CS's Conf. Cell

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