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POLICY ON JARAWA TRIBE OF ANDAMAN ISLANDS

I. INTRODUCTION

The High Court of Calcutta (Circuit Bench at Port Blair) vide their order dated 9-4-2001 in WP No.048 of 1999 (PIL) - Ms. Shyamall Ganguly, Advocate Vs Union of India and Others, inter-alia, directed the Central Government as under:

"The Central Government through the Principal Secretary, Ministry of Home Affairs, within two months from the communication of this order shall form a Committee of Experts with the Lt. Governor of the Islands as the Convener, comprising of renowned Anthropologists, Sociologists, Nutrition Experts, Doctors for immediately undertaking a scientific study, research and survey in the aforesaid change in the behaviour of the Jarawas and to find out the cause of the same....."

The said Committee shall submit its report within six months from the formation of such Committee before the Central Government and Lt. Governor, A&N Islands and also shall file a copy thereof before the Circuit Bench of this Court.

Within six months thereafter the Central Government through the Home Secretary himself and the Lt. Governor of the Andaman & Nicobar Administration shall formulate a policy, plans and programmes on the aforesaid questions whether the steps should now be taken for bringing the Jarawas in the mainstream of the society or they should be left to their own way of life as before or the balance between the two should be struck following the peaceful existence theory as suggested by Mr. Awaradi in his Master Plan or any other experts. For the aforesaid purpose, the Central Government shall arrange seminars and open discussions of the different experts, National and International on the line, Anthropologist, Sociologist and others as also individuals and non-governmental organizations having knowledge and experience in the matter inviting them by issuing public notification in widely circulated news papers and sending them letters of invitation and thereafter shall frame the policy decision within the stipulated period after deliberation and discussion on such opinions with the approval of the concerned Ministry. The Central Government shall also publish the papers, discussions and deliberation of such seminar, at its cost, for future reference.....

After formulation of such policy, the same shall be notified by the Central Government and the A&N Administration and shall also be placed before the Circuit Bench of this Hon'ble Court for appropriate order".

2. In pursuance of the aforesaid order of the Hon'ble High Court of Calcutta, a Committee of Experts was constituted by the Central Government vide the Ministry of Home Affairs' Notification No. U-14040/24/99-ANL dated the 21st July, 2001.

3. The Committee of Experts submitted its report before the Hon'ble High Court of Calcutta on 28-7-2003. As per the aforesaid directions of the Hon'ble High Court, the Central Government was required to formulate policy, plans and programmes in respect of Jarawas in consultation with the Lt. Governor, A&N Islands after organizing seminars and open discussions with the different experts, national and international, Anthropologists, Sociologists and others as also individuals and non-governmental organizations having knowledge and experience in the matter. Accordingly, the Central Government organized two such seminars one at Kolkata on 7th - 8th April, 2004 and another at Port Blair on 27th - 28th May, 2004 wherein experts, non-governmental organizations and individuals deliberated on various issues relating to the Jarawas and their well being.