

dated 5.2013 of SLP (C) 12125-2010 in the matter of LG, A&N islands & Ors -vs- Ms Barefo

Tribes of these islands have been declared as Tribal Reserve. The entry into such area by non tribal is not only prohibited, unless, permitted by the Statutory Authority under the said law but acquiring any land is also prohibited. Besides the A&N Administration is making all efforts to enforce the restrictions against persons who illegally enter the Jarawa Reserve area by registering cases against them under the PAT Regulation as well as SCS & STs (Prevention of Atrocities) Act, 1989. This has created a deterrent and intrusion into the Jarawa areas have reduced considerably in recent times. In this connection necessary amendment in section 8 of PAT Regulation has been promulgated by the President of India to enhance penalties and punishments for the offences committed by the non-tribal to make the law more stringent vide A&N Gazette Notification No. 24/2006/F. No. 1-467/2001-TW dated 31.1.2006. Further, the A&N Islands (Protection of Aboriginal Tribes), Regulation, 1956 which protects the interest of the aboriginal Jarawa tribe in these islands has been amended by the Govt of India and brought into force w.e.f. 9.7.2012, provides stringent penal provisions for various violations. Besides anti-poaching exercises are regularly carried out by Navy in the high seas, Coasts Guard in the Coastal areas and by Police on the Coast line.

ix) That to protect the food resources in reserved area, three tasks Force Committees comprising of officials of AAJVS, Police and Forest Department have been constituted at Tirrur, Middle Strait and Kadamtala vide AAJVS order No. 200 dated 27.9.2006. They conduct regular anti poaching patrolling in the Jarawa Reserve Area.

#### RE REVIEW OF JARAWA POLICY

6. That consequent upon the recent behavioral changes seen in the Jarawa Tribe, the A&N Administration felt the need to review the present Jarawa Policy 2004. The Government of India, Ministry of Tribal Affairs constituted a Sub Committee of the Experts under the Chairmanship of Secretary Govt. of India, Ministry of Tribal Affairs to review the Jarawa Policy, 2004. The Meeting of the Sub-Committee was held on 7.6.2011 and it was decided to constitute a Group of Experts by Andaman & Nicobar Administration to assess the actual perceptions, needs and expectations of the Jarawa Tribe. Accordingly, the Administration constituted a Group of Experts consisting of Anthropologists, Social activists and other experts. The report submitted by the Group of Experts was forwarded to the Government of India, Ministry of Tribal Affairs. The Sub-Committee in its meeting held on 14.10.2011 accepted the report which inter-alia includes:-

i) That there is no need for a change in Jarawa Policy. However it was recommended to reduce the number of convoys on the ATR and develop alternate sea route for Baratang and North Middle Andaman.

ii) Restructure Andaman Adim Janjati Vikas Samiti (AAJVS) for effective implementation of Jarawa Policy, proper and adequate medical help/intervention to Jarawas, proper awareness programme for settlers and communities using ATR.

iii) Listen and facilitate Jarawas, rather than "provide and