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Puc is a letter No. F.I/(Legl)/68/32 dated 8.2.2016 along with a copy Hon'ble Supreme Court Order dated 29.1.2016 received from the Chief Conservator of Forests (HQ) regarding Writ Petition (Civil) No. 109 of 2008 titled Wildlife First & Others-Vs-UOI & Ors. We are requested to furnish the comments/information as per the direction of the Apex Court.

The operative part of the Apex Court's order dated 29.1.2016 is as under:

"In the Circumstances, we are of the opinion that each one of the respondent-States should file an affidavit giving the data regarding the number of claims rejected within the territory of that state and the extent of land over which such claims were made and rejected and the consequent action taken up by the State after the rejection of the claim, with all appropriate data in support of the above-mentioned information within a period of two weeks from today."

In this context, it is stated that as far as A & N Islands is concerned, the Central Govt. issued the Constitution (Andaman & Nicobar Scheduled Tribes) Order, 1959 under Article 342 of the Constitution, notifying (Six) Aboriginal Tribes of Andaman & Nicobar Islands as Scheduled Tribes. Subsequently, in exercise of the powers conferred under Clause (2) of Article 243 of the Constitution, the President promulgated the Andaman & Nicobar Islands (Protection of Aboriginal Tribes) Regulation 1956, for the protection of the interest of socially and economically backward aboriginal tribes in the Andaman & Nicobar Islands.

Under the said Regulation, this Administration notified reserved areas, thereby prohibiting the entry as well as acquisition of any interest in land etc. of any person other than the members of the aboriginal tribes in the reserved area. Thus the interest of the scheduled tribes in A&N Islands have been fully protected by the Regulation, 1956 by exclusively preserving the area for them in which they have full rights to use their forest products for their bonafide use.

As far as, traditional forest dwellers are concerned, there are no forest encroachers who qualify for the purpose of the scheduled tribes and other traditional forest dwellers.

If approved, we may furnish the reply on the above lines to the CF(HQ). Accordingly, a draft letter is submitted for approval please.

6/9/2016
JRO

RO (OT)

Director (TW) (OT)

~~Secretary (TW)~~

[Signature]
09.2.16

[Signature]
JRO

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9/2/16