

Background Note and Para-wise comments for preparation of Affidavit in pursuance of the directions contained in order dated 7.3.2018 of the Hon'ble Supreme Court in WP (Civil) No(s) 50/2008 and 109/2008 in the matter of Wildlife Trust of India & Ors -vs- UoI & Ors.

The Andaman and Nicobar Islands have originally been the abode of aboriginal tribes. The Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956, promulgated by the President of India provides for protection of the interests of aboriginal tribes and declaration of the geographical area as reserved areas for the exclusive community ownership of the tribes. There are six Scheduled Tribes, viz., Andamanese, Onges, Jarawas, Sentinelese, Nicobarese and Shompens as notified by the President of India under Article 342 (1) of the Indian Constitution (Andaman & Nicobar Islands Scheduled Tribes Order No. 58, dated 31.03.1959. Except Nicobarese the rest of the 05 tribes are recognized as Particularly Vulnerable Tribal Groups (PVTGs).

Nicobarese: They are the largest group of tribes, numbering over 27000 and are already in the mainstream. The Administration extends benefits of scholarships, medical facilities and other developments through the District Administration and Integrated Tribal Development Project and their rights over the land are well protected.

The Administration in the year 1976 (25.03.1976) has constituted Andaman Adim Janjati Vikas Samity (AAJVS) and registered under the Societies Registration Act, 1860 with the Hon'ble Lt. Governor as the President of its General Body, and the Chief Secretary as the Chairman of its Executive Council to oversee and monitor the implementation of various welfare programmes and policies of the Administration and the Central Government in regard to the PVTGs. The Samity is funded by the Administration and the Central Assistance received from the Central Government and has the following objectives:

- (i) Protect and Preserve Primitive Tribal Groups (PTGs)
- (ii) Promote social, economic and cultural interests of PTGs.
- (iii) Conduct Research Studies to identify specific issues of PTGs and formulate policies & programmes
- (iv) Protect health and prevent extinction of PTGs

Andamanese: They were once an 8000 strong tribal population, however, due to the British policy of friendly contact, their number had dwindled to below 20. Today, after many efforts in terms of protection and preservation, it stands at 70. They are settled on the Strait Island covering an area of 6.01 Sq Kms and the coastal waters upto 5km around the islands has also been declared as Tribal Reserve under the A&N (PAT) Regulation, 1956.

Onges: Similarly, the Onges have been in contact with outsiders for more than 100 years. They are settled in Dugong Creek and presently are numbered at 120 and 734.39 Sqkm but of the 403.37 Sq Km of the Little Andaman Islands has been declared as Tribal Reserve under A&N (PAT), Regulation 1956.

Both the Andamanese and the Onges have been provided with permanent houses at their settlement areas. The Andaman Aadim Janjati Vikas Samity (AAJVS) takes care of their requirements through involvement of various line departments. Potable water supplies, electrification of their settlements, free medical care, free schooling and other amenities like police wireless for communication, Community Hall, footpath, jetty for berthing of the boats etc. are being provided.