

the lands falling in the reserve area including resources are fully protected under the provision of the PAT Regulation. They have unhindered / absolute right over the land and produce of such land in the tribal reserve and forest reserve so notified. As per section 11 of the PAT Regulation, it will have over-riding effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any such law. Even the right of the tribals to collect their requirement of forest produce from the forests in the tribal reserve for their bonafide use stands harmonized with the provision under rule 13 of the A & N Islands protected Forest Rules, 1986 and so is the case with the hunting rights of the Scheduled Tribes under Wild Life (Protection) Act, 1972. As provided U/S 13 of the FRA 2006, the provisions of this Act shall be in addition and not in derogation of the provisions of any other law for the time being in force, so this Act strengthens the PAT Regulation rather than weaken or erode it.

(5)

The Scheduled Tribes of this UT do not practice ownership of land, but hold it jointly in its entirety as per their tradition and convention. So no title deed in respect of lands in the reserve area needs to be issued to the individual tribals under FRA 2006 and the rules made there under. This position has been apprised to GoI, Ministry of Tribal Affairs from time to time as per our reports at PP 22-23/C and PP 26-27 /C. We may send a reply to the MoTA in the same line.

(6)

As regards new Chingen village in Great Nicobar it is stated that 3 Shompen families and 7 Nicobarese families shifted to New Chingen village in the year 2005 in the wake of Tsunami disaster that occurred in Dec., 2004 have been residing there. Since then each family has been provided with a permanent Shelter under the Tsunami rehabilitation Scheme.

(7)

In this context it may be recalled that livelihood concerns of the tribals including construction of 800 mtr. approach road connecting to new Chingen village came up for discussion in the TSP review meeting held on 4.2.2013 (a copy of the relevant portion of the minutes is placed at PP 28-29/C for reference) following the visit of the Senior Officers of this Administration to the Southern Group of Islands including new Chingen village on 8<sup>th</sup> and 9<sup>th</sup> Dec., 2012 (copy of the relevant portion of the tour note is placed at P 30/C). As per the minutes of the above meeting the DC, Nicobars was to expedite sanction of an estimate for 41.00 lakhs for construction of an approach road submitted by PMB and also to submit a proposal for