

S. No.	Observation	Reply
	treat them at par with other land holders	
(iv)	FRA requires conversion of all forest villages, old habitations, unsurveyed villages and other villages in forest whether recorded, notified or not, into revenue villages. The States have been asked to take necessary action for such conversion as per guidelines issued by the Ministry dated 8.11.2013. In this connection, the entire records should follow the protocol of the revenue code/law	Does not arise in view of reply at (i) above

Recently, the A&N Administration has filed the Reply Affidavit of Writ Petition (civil) No.50 of 2008 titled Wildlife Trust of India and Others -vs- Union Of India and others pending before the Hon'ble Supreme Court of India, in which, we have committed that the interest and ownership rights of the Scheduled Tribes in Andaman and Nicobar islands are fully protected under A&N Islands (Protection of Aboriginal Tribes) Regulations, 1956 and in absence of other traditional forest dwellers further vesting of any forest rights under FRA, 2006 does not arise in A&N Islands.

Further, the above stand has been taken up by the A&N Administration has also been uploaded in the Pragati against the issue of FRA.

It must be noted that the tribes and tribal situation of the Andaman and Nicobar Islands cannot be compared with the tribes of other part of India because 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. This Regulation has overriding effect over other laws under Section 11 of Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956.

In view of the above, a draft reply is placed alongside for kind perusal.

JRO

AC (AOI)

Div (TW) [20]

Pr. Secretary C.T.

EO (TW)

21/5/18

May issue.

By: [Signature]

22/5

Director (TW)

As approved, a final letter is submitted for signature.

AC (TW)

[Signature]

21/5/18

116.

117.

118.

119.

120.

(12)