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PUC is the letter dated 21-7-2010 from the Asst. Secretary (Plg.), A & N Administration addressed among others to the Secretary (TW), A & N Administration regarding Standing Committee Meeting of IDA. They have requested us to furnish the latest status reports on the points concern Tribal Welfare Department immediately.

The latest status of the issue pertaining to Tribal Welfare department is furnished as under:

1. 50 – Amendment of the A & N Islands (Protection of Aboriginal Tribes) Regulation, 1956.

A Buffer Zone was declared to prevent construction of tourist resorts and commercial activities around the Jarawa reserve to protect the Jarawa Tribe from undesirable outside influences. It is also proposed to delegate power to the Administrator who may, by notification, declare any area which is adjacent to the reserved area as buffer zone specifying the limits of such area and to provide penalty for violation of "Buffer Zone" and "reserved area" in section 8 of the PAT Regulation. These amendments in the PAT Regulation are essential to curb the growing menace of Jarawa tourism. The amendment notification approved by the Hon'ble Lt. Governor, A & N islands has been sent to the Ministry of Home Affairs for approval of the Govt. of India.

2. 51 – Recognition of Scheduled Tribe status to immigrant STs in Andamans

The Ranchis are advanced than any other native tribes of these islands. The issue of inclusion of Chotanagpuri Tribal communities in the Scheduled Tribe list has been examined by the UT Administration from time to time and a view was taken that they are a migrant community to these islands and are far more advanced than even the most advanced Scheduled Tribes of these Islands that is Nicobarese.

In view of above the Administration feels that their inclusion in the list of Scheduled Tribes of this UT would be detrimental to the interest of aboriginal tribes of these Islands. Six such aboriginal tribal communities who originally belong to the islands namely the Great Andamanese, Onges, Jarawas, Sentinelese, Shompens and the Nicobarese have already been identified as STs in respect of the UT of A & N Islands. Therefore, the case of Ranchis was not recommended to the Govt. of India.

As per the instructions contained in the Govt. of India, Ministry of Home Affairs, New Delhi letter No. BC-16014/1/82-SC&BCD-1 dated 6th August 1984, *"the SC/ST person on migration from the State of his origin to another State will not lose his status as SCs/STs but he will be entitled to the concessions/benefits admissible to the SCs/STs from the State of his origin and not from the State where he has migrated"*. Therefore, the people of migrant communities are not the original inhabitants of these islands, such as the aboriginal tribes of Andaman and Nicobar islands. The Scheduled Tribes notified are the original inhabitants of these islands, and the migrants from mainland are not covered under the Govt. of India's Notification dated 31.3.1959 vide **Constitutional Order No.58: The Constitution (A & N Islands) Scheduled Tribes Order, 1959)**

Since the migrated Scheduled Tribes are advanced than the native tribes of A & N Islands, their inclusion in the Scheduled Tribe list of A & N Islands may cut down the cent percent opportunities being enjoyed by the indigineous tribes. Once the reservation benefits are extended to the migrant STs, the STs of other States & UTs will come forward to claim the benefit of reservation under A & N Administration. The STs of this UT being more backward will not be able to compete with the advanced migrant STs thereby loosing their legitimate right of reservation.