

Court's order on 23.1.10, the matter came up for hearing on 8.3.10 before the Apex Court as CC 21910/2009, the Apex court granted the stay of the impugned order and given four weeks time for filing the counter affidavit. Proposal: The Andaman & Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 is required to be amended, in order to make penalties for violation more stringent and to carry out the prescription of the Jarawa Policy and the welfare and protection for other Aboriginal tribes and Particularly Vulnerable Tribal Groups of the ANI.

**J. (i). FINANCE (Andaman & Nicobar Islands)**

<p>41. Transfer of Committed Liabilities from Plan to Non-Plan A&amp;NI Admn</p>	<p>Plan allocation of States/UTs is enhanced by about 10% to 15% per annum by the Planning Commission. However in the case of ANI the committed liabilities of previous plans in respect of expenditure on Salaries of posts created, contractual services, minor works, supply and material etc continue to remain under Plan since the Seventh Five Year Plan. The amount estimated as Rs 332.5 cr. should have been reflected as non-plan expenditure but due to non-availability of funds under non-plan, A &amp; N Administration is compelled to keep this under Plan. Consequently, the requirement of funds for planned development get restricted. Ministry of Finance may consider a proposal such that committed liabilities of Rs 332.5 cr. from Seventh Plan onwards under Plan need to be transferred to Non-Plan to give impetus to development.</p>	<p>As suggested by the Department of Expenditure, Ministry of Finance it was decided that the transfer of committed liabilities from Plan to Non-Plan may be taken up by the Ministry of Home Affairs before the commencement of the 12<sup>th</sup> Five year Plan.</p>
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**K. (ii). EDUCATION & EMPLOYMENT (Lakshadweep)**

<p>42. Filling up vacant posts MP, Lakshadweep</p>	<p>There are nearly 1000 posts lying vacant due to optimization directive issued by the DOPt. The Island must be excluded from the ban on filling up of posts. Steps should be taken for immediate recruitment to the vacant posts.  A recruitment body similar to State Public Service Commission should be set up in the island for impartial recruitment.</p>	<p>It was explained by the DOPt that the circular regarding the ban on the filling up of posts have been withdrawn in 2009. It was decided that specific problems faced by the Lakshadweep Administration in filling up of vacant posts may be taken up by the Ministry of Home Affairs with Ministry of Finance (Dept of Expenditure).</p>
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