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भारत सरकार

राष्ट्रीय अनुसूचित जनजाति आयोग

GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SCHEDULED TRIBES

छठी मंजिल, 'बी' विंग, लोक नायक भवन
खान मार्किट, नई दिल्ली-110003

6th Floor, 'B' Wing, Lok Nayak Bhawan
Khan Market, New Delhi-110 003

Dated 10/07/2012

20/1/A&N/2011/RU-III

To

The Chief Secretary,
Govt. of Andaman & Nicobar,
Island Administration,
Port Blair

Sub: Minutes of the Review Meeting on the implementation of reservation Policy and development programmers for STs and implementation of the SCs and STs (PoA) Act 1989 in Andaman & Nicobar Island Administration from 19/11/2011 to 25/11/2011.

Sir,

I am directed to enclose the copy of the Minutes of the Meeting on the subject cited above and to request that the action taken report on the minutes of the Meeting may please be sent to this Commission at the earliest.

Yours faithfully

Enclosures: As above

(N.K. Maran)
Research Officer

Copy to:

1. The Secretary, Ministry of Tribal Affairs, Shastri Bhawan, New Delhi alongwith the copy of the enclosure for information / necessary action please.
2. Assistant Director, National Commission for Scheduled Tribes Regional office Room No. 309. Nirman Sadan CGO Building, 52-A, Arera Hills, Bhopal-462011 (Madhya Pradesh) alongwith the copy of enclosure for follow up action please.
3. Research Officer Regional Office of National Commission for Scheduled Tribes, Regional Office of N-1/297 IRC village, Bhubneshwar-751015 (Orissa) alongwith the copy of enclosure for follow up action please.

(N.K. Maran)
Research Officer

20/1/A&N/2011/RU-III
11/7/12
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Minutes of the Review meeting on the implementation of reservation Policy and development programmers for STs and implementation of the SCs and STs (PoA) Act 1989 in Andaman & Nicobar Island Administration from 19/11/2011 to 25/11/2011.

1.0 The Commission led by Dr. Rameshwar Oraon, Hon'ble Chair person, accompanied by Shri B.L.Meena and Smt. K.Kamla Kumari, Hon'ble Members and Shri R.K.Dubey, Assistant Director visited the UT of Andaman & Nicobar Islands from 19-11-2011 to 25-11-2011 in accordance with the programme communicated to the UT administration vide message No. 20/1/A&N/2010/RU-III dated 15-11-2011 to review the development programmes, reservation policy and implementation of the SCs and STs (PoA) Act, 1989 in respect of STs. Shri Aditya Mishra, Joint Secretary, NCST joined the team on 24-11-2011.

19-11-2011

2.0 Formal welcome and briefing the Commission about various aspects of tribal development by Secretary, Tribal Welfare Department, A & N administration.

After arrival at Port Blair Airport, Secretary, Tribal Welfare Department welcomed Hon'ble Chairperson and Members of the Commission. Representatives of many tribal Associations and other social groups also welcomed them. Thereafter, the Commission departed for Port Blair Circuit House where Secretary, Tribal Welfare Department briefed the Commission about the general information related to the islands. It was informed that the Andaman & Nicobar is an archipelago consisting 572 small and big islands, islets and rocks aligned north to south in the form of broken chain of approximately 700 km between Cape Negrais of Myanmar in north and Achin head in Sumatra of Indonesia in south. The total geographical area of the UT is 8249 Sq.kms of which 7171 Sq.kms is forest area. The Commission was also informed that there are six aboriginal tribes in the UT which are Great Andamanese (Strait Island), Onges (Little Andaman), Jarawas (South & Middle Andaman), Sentinelese (North Sentinel Island), Nicobarese (Chowra, Teressa, Bampuka, Little Nicobar, Great Nicobar and some other Islands and Shompens (Great Nicobar Island). Nicobar group of Island is far away from Port Blair. It was also informed that the UT administration has re-scheduled the visit of the Commission to different parts of the UT keeping in view the availability of helicopter service, Lt. Governor's vessel and other local conditions.

2.1 Visit of National Memorial Cellular Jail, Anthropological Museum and Rose Island.

In the afternoon the Commission visited National Memorial Cellular Jail which is an important place related to the freedom struggle of the country. Here, the Commission witnessed a light and sound show related to the freedom movement and sufferings of the freedom fighters. The Commission also visited Anthropological Museum, Port Blair and Rose Island on the same day.

20-11-2011

3.0 Visit of the Commission to Jarawa tribal reserve and Baratang area

The Commission left Port Blair in the morning for Baratang through Andaman Trunk Road (ATR) which passes through Jarawa tribal reserve. Assistant Commissioner,

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Tribal Welfare Department, A&N administration and officials of Andaman Adim Janjati Vikas Samiti also accompanied the Commission.

3.1 On the way the Commission was briefed that Andaman & Nicobar Islands has originally been the adobe of the aboriginal tribes, all of them hostile. The government had passed a regulation to protect the interest of socially and economically backward aboriginal tribes of the islands in 1956 named as THE ANDAMAN AND NICOBAR ISLANDS (PROTECTION OF ABORIGINAL TRIBES) REGULATION, 1956. The areas, which are predominantly inhabited by the aboriginal tribes, have been declared to be reserve areas. Several restrictions have been imposed by the Government by way of a policy on Jarawa tribe to protect them from harmful effects of exposure and contact with the outside world while they are not physically, socially and culturally prepared for such interface. Besides that, the policy is also aimed to preserve the social organization, mode of subsistence and cultural identity of the community, to provide medical help to the Jarawas to reduce mortality and morbidity in case of their sudden affliction with diseases which their systems are unaccustomed to, to conserve the ecology and environment of the area and to sensitize settler communities around the Jarawas habitat and personnel working for the protection and preservation of the Jarawas about the need to preserve this ancient community and to value their unique culture and life styles.

3.2 The Commission met some tribal people of Jarawa community near R.K.Nala area of the reserve to see their condition and habitat. The Commission was informed that the Jarawas are hunters and gatherers belonging to Negrito race who were hostile to the outside world till 1997. The Jarawas themselves started frequenting the non tribal areas like villages and Andaman Trunk Road which led to unprecedented interaction of the Jarawas with non tribals which would have deleterious impact on Jarawas. A PIL was filed in Calcutta High Court wherein the issue of protection of members of Jarawa tribes was raised. The Hon'ble High Court passed certain directions, pursuant to which a policy was framed by the Government of India in the year 2004 with the objectives mentioned in para 3.1 above.

3.3 The Jarawas still continue to lead their own way of life and follow their traditional customs of hunting and gathering. They use bows and arrows for hunting the games like wild pig, monitor, lizards and even for fishing. They collect honey, turtle eggs and wild jackfruit for their subsistence. They are strictly monogamous. However, widow remarriage is allowed among them. They live in big huts made up of locally available vegetation. They migrate seasonally from one part of the reserve to another in search of food. They take boiled and roasted food. Their present population is 383 out of which 197 are males and 186 are females.

3.4 After meeting the Jarawas, the Commission proceeded for Baratang forest guest house where a delegation of settlers, whose predessers had migrated from the Chhota Nagpur Plateau region of the main land (locally called as Ranchi association) met the Commission. They produced following demands before the Commission:

- It was informed that in the states from where their ancestors had migrated in search of livelihood, their communities had been included in the list of scheduled tribes. But in Andaman & Nicobar Islands, they are not being declared as scheduled tribe in spite of the fact that they had worked hard in the cutting of forests and construction of roads and buildings in the Islands. They demanded for tribal status in the UT.

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- The Commission was informed that these settlers have not been given any plots for construction of houses in the Baratang areas. They demanded for allotment of plots for the purpose.

- Roads should be constructed urgently to join Kanchangarh village and Khattakhari. All weather roads should also be constructed to connect Rajatgarh and Raptashri villages.

After the meeting the Commission returned to Port Blair from Baratang in the evening.

21-11-2011

Visit to strait Island to meet the Great Andamanese tribes

4.00 The Commission proceeded for Strait Island by special boat in the morning to meet the Great Andamanese tribes and reached there by noon. The Commission was accompanied by Secretary and Assistant Commissioner, Tribal Welfare Department, A&N administration. The officials of Andaman Adim Janjati Vikas Samiti were present on the Strait Island.

4.01 The accompanying officers of the A&N administration informed the Commission that this tribe has been settled in the Strait Island only. They belong to Negrito race. It is the first tribe, which came in contact with the civilization through the British administration during penal settlement. Once they were the largest tribal group, but their population reduced drastically due to inadvertent introduction of certain diseases following their contact with outsiders. They were just 19 persons in the late 1960. They roamed around aimlessly in the islands. The A&N administration decided to rehabilitate the surviving Great Andamanese on Strait Island. Their population has gradually increased to 55 now over a period of time as a result of various welfare measures undertaken by the administration.

4.02 The Commission was also briefed that the A&N administration has introduced a few economic activities like rearing of poultry for these tribals to improve their economic condition and the nutritional status. They are being engaged in coconut plantation with an objective to provide them a permanent means of sustenance. The administration provides free ration and cloth to the Great Andamanese. The potable water supply, electrification, free medical care, school and other amenities like police wireless communication, direct receiving set for TV, community hall, foot path Jetty for berthing the boats etc. have been provided at the settlement. A Great Andamanese multipurpose co-operative society is functioning at the Strait Island. All the Great Andamanese are members of the society. The society provides the consumer goods to them and also helps them in marketing of their agricultural produces. Tribal houses and other infrastructure facilities were damaged during Tsunami 2004. Repairs to structure were carried out. The new houses are being built for Great Andamanese at high ground on Strait Island. This new colony is likely to be completed and handed over to the tribal families by June 2012.

4.03 On reaching the island. Smt. Surmai, lady chief of the Great Andamanese community welcomed the Commission. The Commission held a detailed discussion with several community members. Some of the members of the community are working on

lower posts in government departments like Police Deptt., Health Deptt., Education Deptt. and Strait Island Electric supply company. They speak Hindi very well. The people were quite satisfied with the efforts made by the administration for their welfare. The Commission visited the Government middle school, dispensary and some of the houses. After detailed discussion, the following issues emerged out for action:

- New houses are being built for the Great Andamanese on higher ground after damage of their houses during Tsunami 2004. Till the time these houses are handed over to them, they want to repair the houses in which they are residing at present. For this purpose they require wood and pillars. The Commission was assured that the administration will settle this demand through DFO, Port Blair.
- Two persons of the community are eligible for old age pension. The administration should take necessary action in the matter.
- The quality of education provided to the children of the community was not found to be satisfactory by the community members as well as the Commission. The teachers were not serious in their duty. The students of Class I and II were not able to read the text books. The Commission recommended for placement of dedicated teachers in the school. The Tribal Welfare Department officer assured the Commission that a social worker, working in the Island for Andaman Adim Janjati Vikas Samiti shall be deputed with additional remuneration to impart education to the children of the community after school hours.
- Mobile signals are not available on the Island as a result of which they face difficulty in communication with their children studying in Port Blair or else. For this purpose range of the towers in near by Islands may be enhanced.
- Some of the community members demanded assistance for goat and pig rearing.

4.04 The Commission was informed that an amount of Rs. 2 lakh was provided to the PWD for construction of building of co-operative society on the Strait Island but it has not been constructed so far. The Secretary, Tribal Welfare Department informed the Commission that now the amount will be taken back by the Department from PWD and old houses left by these tribal shall be used for the purpose after shifting them to the new houses.

Visit of Havelock Island

4.05 From Strait Island, the Commission proceeded for Havelock Island by special boat and reached there in the afternoon. The Commission and accompanying officers halted there in the night.

22-11-2011

Departure for Port Blair from Havelock Island

The Commission left for Port Blair by Seaplane in the morning from Havelock Island.

Meeting with Hon'ble Lt. Governor, A&N Islands at Raj Niwas.

5.00 The Commission had a meeting with Lt. General (Retd.) Bhopinder Singh, Hon'ble Lt. Governor, A & N Islands at 10.00 hrs. The Commission briefed him about the

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purpose of visit of the Commission and the responsibilities given to the Commission under the Constitution for the welfare of Scheduled tribes. The Commission briefed him about the demand of tribal status made by the migrants of Chhota Nagpur placed by them before the Commission. Various demands related to development in the tribal areas were also discussed in the meeting.

Function of Indian Tribal Welfare Association, Port Blair

5.01 Dr Rameshwar Oraon, Hon'ble Chairperson, National Commission for Sch. Tribes attended a function organized by Indian Tribal Welfare Association, Port Blair in the afternoon as Chief Guest. Following issues were presented before the Commission in the function by the tribal delegates:

- Many Scheduled tribe persons belonging to different tribal communities in the main land are residing in A & N Islands, which is a Union Territory where Central Government rules are applicable. Many such persons secured employment under ST quota in the services of A & N administration on the basis of certificates issued by the competent authorities of different states. But now A & N administration is not accepting the caste certificates produced by them. Thus, they are being deprived of their legitimate claim. They demanded that the judgment of the Supreme Court in the case of *S. Pushpa* should be made applicable in A & N also.
- Local Police is not registering the complaints of the tribals belonging to main land under SC & ST (POA) Act 1989 on the plea that they do not belong to the Scheduled Tribe community of the A & N Island.
- The tribals of the Chhota Nagpur area of the main land, who had migrated in search of livelihood to A & N Islands in the year 1918 and onwards, have been denied tribal status in the Islands. Many settler communities, who migrated later on, were given status of OBC by the administration. This is discrimination on the part of local administration.
- Atrocities are being committed by non-tribals against the Jarawa community persons. The local police should be directed to take immediate and proper action against the culprits.

Hon'ble Chairman addressed the gathering and assured that the issues raised by the tribal delegates shall be discussed in the review meetings scheduled on 24-11-2011.

Function organized by Ranchi Association at Chhota Nagpur Bhawan, Port Blair.

5.02 In the evening, Dr. Rameshwar Oraon, Chairperson, NCST attended a function organized by Ranchi Association at Chhota Nagpur Bhawan, Port Blair as Chief Guest. Shri R.K. Dubey, Assistant Director was also present in the function. Hon'ble Chairman garlanded the statue of Shahid Birsa Munda at the venue. Thereafter many office bearers of the Association welcomed Hon'ble Chairperson. Many delegates from different parts of the Islands attended the function. Following issues/demands emerged out of the speeches given by the office bearers of the Association:

- Many persons belonging to Chhota Nagpur region spread in the states of Jharkhand, Chhattisgarh, Orissa and some other states of the main land were taken to A&N Islands in the year 1918 by the then DFO of South Andaman for working as labour in forest department. For the first time, about 400 persons belonging to Oraon, Munda

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and some other tribes arrived in the islands on one-year contract. Subsequently many other groups followed them. Some of them returned to their native places in the main land but many others could not do so due to Second World War and settled in the Island. More persons from the Chhota Nagpur area of the mainland arrived at the islands after independence to help in settling the Bangladeshi refugees. Many of these persons were given appointment in the Forest Department and PWD. These people have contributed a lot in the development of these Islands. Now, their number has reached to about 70,000 but these people have not been given the status of Scheduled Tribe in A&N. On the contrary large number of settlers coming to A&N as refugee have been given land and social status as backward classes after migration from Bangladesh. A demand was made for considering them as Scheduled Tribe in the A&N Islands.

- There is no separate reservation for their children in admission in Engineering and Medical Institutions of the main land. 50% seats in these Institutions has been reserved for descendents of persons settled in the Islands by the administration prior to 1940. 20% seats were reserved for the Scheduled Tribe of A&N and another 10% seats are reserved for Central Government employees. The children/descendants of the persons originally hailing from Chhotta nagpur region of the main land were left in the last category having 20% reservation where they have to compete with all others. Thus, they have not been able to get any benefit in admission to these Institutions.

Dr. Rameshwar Oraon, Chairman, NCST also addressed the gathering in the end. He assured that the problems of the Chhota Nagpur migrants shall be taken up at the appropriate forum.

5.03 In the afternoon many tribal delegates, office bearers of ST welfare association and political leaders met the Commission.

23-11-2011

Meeting with Shri R.Mohan, State President, BJP at 10.00 hrs.

6.00 Shri R.Mohan, State President, BJP called on Dr. Rameshwar Oraon, Chairman, NCST at the circuit house, Port Blair. He discussed about the problems being faced by the tribals residing in the Islands. He put up following demands before the Commission:

- Separate parliamentary seat for Nicobar group of Islands reserved for Scheduled Tribes should be created due to geographical distance and different problems of the Nicobarese tribes.
- The settlers hailing from Chhota Nagapur region of the main land settled in the A&N Islands should be declared as Scheduled Tribe by the Government of India.
- To consider granting of SC status to all those communities settled in the A&N Islands hailing from Kerala, Tamil Nadu, Andhra Pradesh, Punjab etc.

Hon'ble Chairman, NCST pointed out in the meeting that National Commission for Scheduled Tribes is not competent to deal with the issues related to scheduled castes and informed that the other two requests shall be taken up at appropriate level by the Commission.

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Visit of the Commission to Dugong creek, Little Andaman to see the Onges settlement.

6.01 The Commission proceeded for Dugong creek, Little Andaman Island at 11.30 hrs by helicopter to see the conditions of Onges tribes residing on the Island. The Commission was briefed that the Onges community is having a population of 102 only. Onges belong to Negrito race. They have been in contact with the civilization for over 100 years. The Onges are still keeping their indigenous activities of hunting, fishing and gathering. Initially their population was scattered all over the little Andaman island in different bands but later they were settled at two places viz. Dugong creek and South Bay in the little Andaman island. After Tsunami, all the Onges have, on their own choice, been shifted to Dugong creek.

6.02 After arrival at Dugong creek helipad, the Commission was welcomed by Shri Tai, the cheif of the community and Shri Soge, second chief. Old chief named Bada Raju was also present there alongwith the community members. The Commission visited the Government middle school at the island and held interaction with the teachers and students. The Commission observed that a good number of youths (38 in number) of the community were coming to the school for education. However, the Commission felt that the quality of education imparted to these students should be improved as many of the students could not read their text book lessons. The Commission was briefed that the community had its own language called Onge but now a days, all the community members are interacting in Hindi. The Commission also visited some of the houses and Anganwadi kendra where some students were having nutritional meals at the time of visit. After interaction with the kids, their parents and the local anganwadi worker, the Commission praised the efforts of the A&N administration to provide nutritional food to the children of the community.

6.03 The Commission observed that the Onges have been provided with permanent houses. These houses are made of woods on about four feet high platform. However, most of the houses require immediate repairing. Coconut plantations have been raised at the Onges settlement by the administration for their economic benefit. The Commission was informed that the coconuts are collected by the Onges and sold to A&N Marketing Federation. The amount so received is deposited in the common account of the community. There is an Onges multipurpose co-operative society to collect and sell the coconut and provide consumer goods to them. All the Onges are members of the society and the chief of the community is also the president of the society. The administration is also engaging them in rearing of poultry birds and fishing. The administration provides free ration and cloths to the Onges. Potable water supply, electrification, free medical care, school, community hall, footpath, jetty for berthing of the boat etc. have been provided at the Onge settlement. The local ANM informed the Commission that a health sub center has been established at Dogong creek. There are 29 families residing in 26 houses. 3 persons of the community had a surgery of Cataract recently. Mainly, the Onges suffer from fever and itching. They take fish, rice, dal and coconut besides the prey they had hunted. Three Onges are working in Government jobs, two in Andaman Adim Janjati Vikas Samiti and one in PWD.

6.04 The chief and other people of the community placed following demands before the Commission:

1. Immediate repairing of the houses. Pucca houses should be constructed for them.
2. Power supply during day time
3. Repair of community hall

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4. Construction of roof in the guest house.
5. Government job for some youths of the community preferably in Forest deptt.
6. The land allotted in the year 1964 for accommodation school students is not having any utility on the date The same may be used for ration godown.
7. Providing BSNL mobile/telephone connectivity.
8. A road be constructed up to Vivekanandpur through forest for their convenient.

The Commission directed the officers accompanying the Commission to consider the demands of the community and the observations made by the Commission during the visit and to inform the Commission accordingly.

6.05 The Commission proceeded for Port Blair in the afternoon.

24-11-2011

Meeting with ST representatives/office bearers of ST Welfare Associations of A&N

7.00 Dr. Rameshwar Oraon, Hon'ble Chairman, NCST held a meeting at 10.30 hrs. on 24-11-11 with ST representatives/ office bearers of ST Welfare Associations of A&N. In the meeting, Smt. K.Kamla Kumari and Shri B.L.Meena, Hon'ble Members of the Commission and Shri R.K.Dubey, Assistant Director was also present. Secretary, Tribal Development Department was present in the meeting on behalf of A&N administration. Representatives of Ranchi Association, Car Nicobar tribal council and many tribal individuals were also present in the meeting. Following issues were discussed in the meeting:

- Demand of Ranchi Association for providing scheduled tribe status to the ST migrants of Chhotta Nagpur region of the mainland in A&N Islands. In this connection, it was informed that there is 38% reservation for OBCs in the A&N Islands which also includes the ST migrants originally hailing from Chhotta Nagpur region of the mainland. It was informed that if the population percentage of this community is separated from the OBC quota, the OBC quota shall be only 27%. It will be in the interest of justice to provide the remaining 11% reservation to the settlers of Chhotta Nagpur region either by including them in the list of scheduled tribes of A&N Islands or alternatively by providing special status in the matter of employment, education or other development schemes.
- The scheduled tribes migrated from the mainland are demanding ST status in A&N Islands. Providing them ST status in the A&N Islands shall be detrimental to the interest of aboriginal tribes of the Islands particularly in the field of employment and education. (Opinion of Car nicobar tribal council)
- Reduction of reservation quota for scheduled tribes in direct recruitment in Group C and D posts from 12% to 8% (as per the ST population in 2001 census).
- There are 14 ST employees working for the last 10 to 15 years in the Medical Department of the administration on contract basis. Their services have not been regularized so far.
- The tribal students getting their education in the mainland institutions are not receiving scholarships on time. They are facing hardship due to delay in sanctioning of scholarship.

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- Non filling of backlog posts reserved for STs in various departments of the administration. No reservation is being provided to the scheduled tribes in promotion in the department of statistics of the A&N administration.
- There is price support scheme of the administration for copra procurement and payment is made through cheque after procurement by the agencies. As there is no bank in the Nicobar group of Islands, the scheduled tribes of the Island are facing difficulty.
- There is no revenue land in the Nicobar group of Islands and all the land belongs to the community. The A&N administration demands land from the tribal council and makes payment through cheque in lieu of the land. The individuals residing in the Island who are all scheduled tribes are facing difficulty in getting loans as NAFED or any other financial institution demands individual right of land as a surety before sanctioning any loan to them.

7.01 Keeping in view, the different opinions of tribal associations on the issue of providing ST status to the migrants, who are scheduled tribe in the mainland, Hon'ble Chairman referred to the Supreme court case of *S.Pushpa* and briefed the delegates about the decision of the Hon'ble court in the matter. He opined that the administration should consider granting of special status to the migrants originally hailing from the Chhotta Nagpur region of the mainland in the A&N Islands. He also directed the Secretary, Tribal Development Department, A&N to take necessary action on all other issues raised by the tribal delegates/association in the meeting.

Review meeting with the Chief Secretary and Sr. Officers of the A&N administration to review the implementation of reservation policy and development programmes being run for the welfare of STs in the Islands and implementation of SC & ST (PoA) Act, 1989 and rules 1995.

7.02 Dr. Rameshwar Oraon, Hon'ble Chairman, NCST chaired a meeting with Chief Secretary and Sr. officers of the A&N administration to review the implementation of reservation policy and development programmes being run for the welfare of scheduled tribes in the Islands and implementation of SC & ST (PoA) Act, 1989 and rules 1995 at 11.30 hrs. Smt. K.Kamla kumari and Shri B.L.Meena, Hon'ble Members of the Commission also joined him. Shri Aditya Mishra, Jt. Secretary and Shri R.K.Dubey, Asstt. Director in the Commission were also present in the meeting. Shri Shakti Sinha, Chief Secretary, A&N administration was also present alongwith all the Sr. officers of the UT administration. This meeting was held on the basis of a detailed questionnaire sent by the Commission to the A&N administration and reply/information furnished by the administration to the Commission.

7.03 In the beginning, Chief Secretary welcomed Hon'ble Chairman, Members and accompanying officers in the meeting. At the outset, he informed the Commission that the data related to expenditure under tribal sub-plan furnished by the A&N administration may not be correct due to different way of understanding the question. He also admitted that the administration has not been able to fill up some posts reserved for scheduled tribes and assured the Commission that the administration will take necessary measures shortly in this direction. There after, he requested Hon'ble Chairman, NCST to share his views and give necessary directions for the betterment of scheduled tribes in the UT.

7.04 In his address, Chairman thanked the UT administration for providing assistance to the Commission in performing its duties assigned by the Constitution of India. He focussed on the discussion held by him with the tribals during field visits and feed back

given to the Commission by the tribal delegates/representatives of ST welfare associations in his address. He stressed on providing quality education to those tribal groups who are willing to come in the main stream. He advised to post committed teachers in the schools at Great Andamanies and Onges settlements. He also informed that there were demands by the tribal groups for construction of roads, rescheduling electric supply by providing electricity during day time also and for providing telephone/mobile connectivity. He appreciated the scheme for providing food security to the tribal groups and advised the administration not to make them dependent on the government. He advised that the tribals should be encouraged to get education and employment.

7.05 Hon'ble Chairman further stated that there are demands for providing house sites, complaints have been made that many posts reserved for scheduled tribes are lying vacant. He advised the UT administration to conduct special recruitment drive to fill up the posts. He added that the Commission has been briefed that 14 Nicobarese Doctors are working on contract basis for a long time. In other departments also, many scheduled tribe employees are working on ad-hoc/contract basis for years together and their services have not been regularized so far. The administration should regularize the services of such employees. The orders related to reservation in promotion should also be strictly followed in the A&N administration.

7.06 Hon'ble Chairman also gave voice to the demands made before the Commission by the non local tribals for inclusion in the list of scheduled tribes of A&N Islands particularly the settlers originally hailing from scheduled tribe dominant Chhotta Nagpur region of the main land. He also expressed the apprehension made by the local tribal groups of the Island in this regard. He quoted the Supreme Court judgement in the case of *S.Pushpa* and opined that being a union territory, it is also applicable to the A&N Islands. He further advised the administration to take a view on the matter whether any special status can be provided to these non local tribals originally hailing from Chhotta Nagpur area of the mainland settled in the A&N Islands. Then, Hon'ble Chairman requested Shri Aditya Mishra, Jt. Secretary, NCST to discuss the issues as per the reply to the questionnaire. Following issues/points of action emerged out of the detailed discussion held in the meeting:

- The Commission observed that there was inconsistency in expenditure of TSP out of the state plan funds during the 10th plan period and there after. A good amount of money remained unutilized during the period. As the Chief Secretary, A&N had admitted that the figures provided by the administration may not be correct, it was advised to check the same and submit correct figures to the Commission.

- The Commission observed that many seats (almost 2/3) in the professional institutions reserved for scheduled tribes during 2007-08, 2008-09 and 2009-10 were not filled. It also happened in the case of admission in ITIs. The Commission advised the UT administration to impart special coaching to the scheduled tribe students at class XI & XII level to fill up the gap. The Commission was informed that the administration is focusing on the subject and professional training in fisheries and computer shall be started from the next session in Car Nicobar Islands. The Commission advised to impart training to the youths in new areas as per the requirement of the market such as crafts, hospitality industry, construction work etc. so that the students taking admission in such courses get employment in the open market.

- The Jt. Secretary of the Commission inquired about the preparation made by the UT administration with regard to implementation of Right to Education Act. It was informed that as per the norms, parent teacher ratio at primary level is 35 and at

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secondary level it is 40. In A&N, it is 15 and 16 respectively which is quite better in comparison to many states and UTs. It was also informed that the number of primary and secondary schools are sufficient as per the requirement. Recently some primary schools have been upgraded to secondary school to serve the people. As far as improvement in quality education is concerned, teachers are being given in service training to improve their skills. The Commission pointed out that at graduate level, 608 students appeared in the examination out of which 391 students passed the examination. It included 59 ST students who appeared in the examination but only 25 of them could pass the exam. Thus there is a need for more attention to improve the performance of scheduled tribe students at this level. The Commission also desire to know the number of special coaching classes organized for the scheduled tribe students during last two years and the number of students who attended these classes. It was assured that the information will be sent to the Commission shortly.

- The Chairman, NCST intervened in the discussion and desired to know whether the UT administration has sought any assistance from Ministry of Tribal Affairs for construction of hostels for tribal students, specially girls in view of the fact that the hostel at Teressa Island got completely destroyed during Tsunami in the year 2004. The Commission was informed that at present, tribal students from Nicobars are staying in general hostel at various schools and colleges at Port Blair and other places. Hon'ble Chairman advised the UT administration to assess the demand of the tribal boys and girls and in case there is a demand, proposals should be sent to MTA for providing such assistance. He also advised the administration to review the situation and ensure timely payment of scholarship to the tribal students studying in the mainland.

- The Commission also discussed about the availability of health services to the scheduled tribes in the Islands. It was admitted that there is shortage of specialist doctors as they are not willing to serve here. However the administration has made arrangements through tie up with Amritha Institute of Medical Sciences and the services of specialist doctors are taken for shorter duration. There is GB Pant hospital at Port Blair where all specialist doctors are available. If any emergency arises in the far-flung Islands, the patients are evacuated from there and brought to Port Blair for treatment. On being asked, the Commission was informed that the problem of hypertension is occurring in the tribals of Car nicobar mainly due to change of lifestyle and trauma of Tsunami.

- The issue of food security also came up for discussion. It was informed that among the scheduled tribes of the islands, only Nicobarites demand for rice. The government has made adequate arrangement to supply ration to them. They do not prefer to take wheat. As far as Jarawas, Shompens and Sentenelese are concerned, they still live nomadic life and carry out their traditional practice of hunting and gathering.

- The implementation of MG NAREGA was also discussed in the meeting. It was informed that 437062 man-days were generated last year and the average number of days per worker is 22. The Commission opined that it is quite a low figure against the requirement of 100 man-days per worker per year and advised to improve the performance.

- On the basis of information provided to the Commission, the Commission observed that the number of cases of atrocity registered under SC and ST (PoA) Act, 1989 was reducing in between year 2006 to 2009. However, the Commission also took notice of the fact that the court disposed no case of atrocity during the same period and

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38 cases were pending in the court at end of the year 2009. The Commission advised the UT administration to take necessary action in the matter.

- The Commission also desired to know about the constitution of state/UT level atrocity monitoring committee and the dates of meetings held during last two years. The Chief Secretary informed that the UT administration will take necessary action in this regard and informed the Commission shortly. The Commission sought information about the rules related to payment of fare and compensation for the loss of wages to the witnesses attending the courts in the cases registered under SC & ST (PoA) Act, 1989. The information could not be given in the meeting and it was assured that the same shall be submitted to the Commission shortly.

- The Commission also observed that the cases under SC & ST (PoA) Act, 1989 were registered during the year 2007, 2008 and 2009. However, in answer to the questionnaire sent to the Commission, it has been informed that no monetary relief was provided to the victims as per SC & ST (PoA) Rules, 1995. The Chief Secretary assured the Commission that he will look into the matter and sent factual information to the Commission.

- The Chairman of the Commission informed that there is a complaint regarding non registering of FIR of a scheduled tribe employee hailing from the Mainland by the police on the plea that his caste is not included in the ST list of the UT. He informed that as per rules, the police should have registered complaints of such persons.

The Chief Secretary thanked the Commission for valuable guidance and assured the Commission that UT administration will take necessary action on the issues discussed in the meeting.

Press conference.

7.07 Dr. Rameshwar Oraon, Hon'ble Chairman, NCST held a press conference at 15.30 hrs in Port Blair along with Hon'ble Members of the Commission. He briefed the media about the field visits, interaction with the tribal individuals and associations and the discussions held with the Sr. officers of the UT administration. He also thanked the local media for providing wide coverage to the tour of the Commission as a result of which a large number of tribal delegates/representatives of the ST welfare associations could meet the Commission. He also briefed them about the assurances given to the Commission by the UT administration on issues relating to the welfare of scheduled tribes.

25-11-2011

Departure for New Delhi.

7.08 The Hon'ble Chairman, Members and the officers of the Commission departed for New Delhi at 10.30 hrs by AI 9604. Principal Secretary, TW Department, Director (TW), Asstt. Director (TW) and Protocol Officer joined the Commission up to airport to see off the visiting dignitaries.

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