

Agenda Item No. II**AGENDA NOTE****For 14th Meeting of the National Commission for Scheduled Tribes to be held on 2.09.2009**

Ministry of Tribal Affairs have prepared a draft policy for Shom Pen a Particularly Vulnerable Tribal Group (PTG) of A&N Islands and forwarding the same to this Commission for furnishing comments on the draft policy within one month (i.e. by 12/9/2009). It has been stated that if the comments are not furnished within the stipulated period, it would be presumed that the Commission agrees with the Draft policy.

2. There are 5 PTGs in A&N Islands. These are (i) Andamanese (ii) Jarawas (iii) Onges (iv) Sentelese and (v) Shompen. The status of PTGs in each State of the country including A&N Islands has been discussed in Chapter 4 of the 2nd Report of National Commission for Scheduled Tribes for the period 2006-07. A note on the Development of PTGs of A&N Islands based on the material and recommendations contained in 2nd Report of the Commission is enclosed at **ANNEXURE I**

3. It may be recalled that the Ministry of Tribal Affairs has earlier prepared a draft policy for Jarwas a PTG of A&N Islands and an Expert Committee set up for preparation of policy for various PTGs of A&N Islands has been reviewing the implementation of the policy. The meeting of the Expert Committee for finalization of the draft policy on similar lines, relating to Shom Pen was held on 12/5/2009 at Port Blair in A&N Islands. In that meeting the situation relating to the action taken on the implementation of the policy for Jarwas and problems in implementation were also discussed. The draft policy on the basis of those discussions has now been prepared by the Ministry.

4. The Shom Pen PTGs inhabit the Southern most Island of Nicobar where Nicobarese also inhabit in large population. As per 2001 Census the population of Nicobarese is 28653 while the number of Shom Pen is 398 only. However, a recent survey conducted by UT Administration the number of Shom Pen has come down to 297. The following measures have been suggested for protection of interests, culture and health status of Shom Pen PTGs.

- (i) There are indications that the Shom Pen do not get good exchange for their produce when they go to barter these at various market points. Since the local administration are aware of the items they get on barter (essentially clothing, iron implements and plastic containers) pictorial representation of typical exchanges, placed at various points, and also distributed in the habitations, will make the more aware.
- (ii) Administration and visiting (authorized dignitaries should not distribute clothes, especially synthetic ones.
- (iii) If Tourists are discouraged to visit Shom Pen and all activities on the East-West Road stopped.

- (iv) The Shom Pen shall be considered and treated as a unique human heritage of our country.
- (v) Communities around the Shom Pen inhabited areas, and personnel working for the protection and preservation of the Shom Pen have to be repeatedly about the need to preserve this ancient community and to value their unique culture and life style.
- (vi) No intervention should create in the Shom Pen any dependency syndrome. (Isolated Jarwas, introduced to "outsider" food are now frequently raiding peripheral houses, resulting in avoidable tensions. Food of the type they consume can continue to be provided at Campbell Bay).
- (vii) The Shom Pen, when admitted to the designated hospital at Campbell Bay, shall gradually be weaned away from any free food. Easy barter should be introduced. In any case, they shall be provided food which is alien to their normal dietary habits.
- (viii) No exploitation of natural resources within the Shom Pen Reserve area will be permitted by any non-tribal or Govt. agency. National Strategic needs will be fulfilled from beyond the Shom Pen reserve.
- (ix) Provisions of A&N Islands (Protection of Aboriginal Tribes) Regulation, 1956 will be strengthened and enforced effectively. Entry restrictions on the liens of Lakshadweep and North-East should be legally introduced and enforce.
- (x) The notified Shom Pen territory should be fully and visibly demarcated and no curtailment, reduction or acquisition shall be made for any purpose. The possibility of recognizing their territory under the Constitution should be explored.
- (xi) A 5 Km radius buffer zone on land and sea around the reserve area would be notified to prevent any commercial and tourism activity. Indeed, no major commercial activity should be encouraged or permitted in the entire Island as the potential of harming the eco-system and the tribals who live in such areas can potentially be very dangerous.
- (xii) All encroachments in the Shom Pen territory shall be removed within a specified time. Arrangements will be made to ensure that such encroachments do not take place in future.
- (xiii) No permanent residence for Govt. employee/ non-tribals/ AAJVS in the Shom Pen reserve area will be allowed. They can be temporarily accommodated, in camps, if their services are needed for any research or welfare intervention.
- (xiv) Cross infection from non Shom Pen during treatment of Shom Pen patients in hospital will be avoided through isolation.
- (xv) A plan/ guide covering the action to be taken in the event of any medical emergency, like an epidemic, should be prepared by the A&N Islands Administration involving doctors who have worked for long in the Islands, doctors who have experience of doing such work in other areas of the country an national level institutions like the ICMR.

- (xvi) Officials/ workers engaged in the protection and welfare of Shom Pen, as well as for research will be regularly screened to ensure that they are absolutely free from any communicable diseases.
- (xvii) Therefore, regular sensitization of the Nicobarese, on the need to protect the Shom Pen and their way of life has to be carried out by the island administration, as per the protocol to be designed by AnSI, ICMR and other qualified Institutions.
- (xviii) Operation of the Policy may be reviewed after ten years in order to delete or incorporate provisions in the interests of the Shom Pen and in the context of time.
- (xix) The functioning of AAJVS should come up for a detailed review, every two years, according to a set of well designed anthropological parameters, in a special meeting of the Governing Body of the AAJVS, to which the Ministry of Tribal Affairs and the Planning Commission must be associated.
- (xx) The primary responsibility for the protection of Shom Pen shall lie with the A&N Islands Administration.

PROPOSED VIEWS TO BE SENT TO THE MINISTRY OF TRIBAL AFFAIRS

5. It is proposed that we may forward the following views on behalf of the Commission to the Ministry of Tribal Affairs.

(a) The draft policy basically talks about isolation of Shom Pen PTGs from rest of the world. The number of Shom Pen has been estimated to have been decreased from 398 in 2001 Census to 297 as per recent survey conducted by UT Administration. The reason for massive reduction in population has to be studied. It is a well known fact that monkeys were the ancestors of the present day human being and this growth has not come by keeping the mankind in isolation. Therefore, isolation with the objective of protection from exploitation is understandable but not at the cost of denying the community the fruits of various development processes which are available to the mainstream population as a human being.

(b) Thus the policy should aim at development of the Shom Pen PTGs while protecting them from infection and interference from outside world. How long they can survive on the forest produce and wild life of the diminishing forests. While maintaining their culture their all round development and protection from exploitation should be the vital objective. They should be regularly provided with food items and health services beside special schools for education of their children. The following measures may be suggested for incorporating in the draft policy:

- (i) All the PTG families are BPL families and, therefore, there is an imperative need to involve them in income generating activities. Efforts should be made to encourage them to take to settled agriculture (by supplying them improved seeds, agricultural kits, plough bullocks, bullock carts etc.), horticulture and animal husbandry (by supplying them crossbreed cows, she buffaloes, sheep/piggery units etc.).

- (ii) One Primary school for each village may be opened in each PTG village/hamlet.
 - (iii) As far as possible local eligible youth/women should be appointed as Teacher in such schools to ensure proper attendance of teacher and effective functioning of the schools.
 - (iv) The Primary Health Centres (PHCs) are generally located far away from the villages of PTGs and, therefore, they are not in a position to avail of medical facilities in the time of emergency. In order to provide emergency and regular treatment facilities to the PTGs, one Medical Mobile Van equipped with primary treatment facilities and medicines along with minor surgical equipments should be arranged near each habitation in the interior areas inhabiting the PTGs.
 - (v) The local Govts./ administration are advised to arrange distribution of consumer items available under PDS through mobile vans in respect of such PTGs who live in inaccessible forest/hilly areas where PDS outlets within reasonable distance are not available. There is also need to make special arrangements to provide nutrition-rich items like ragi, minor millets, tubers etc. to lactating and expectant mothers to combat malnutrition.
- (c) The policy does not mention about funding of the project. Although, Ministry of Tribal Affairs provides Special Central Assistance for development of PTGs and obviously this project should also be funded by the Ministry of Tribal Affairs. However, the same should be clearly mentioned in the policy.
- (d) The operation of the policy may be reviewed after every 5 years instead of 10 years as proposed.
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