



भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जनजाति आयोग

National Commission for Scheduled Tribes

(A Constitutional Body under Article 338A of the Constitution of India)

File No. VP/1/2018/STGAN/DEOTH/RU-III

Dated: 13/02/2019

To,

1. The Secretary,
Ministry of Home Affairs,
North Block,
New Delhi
2. The Secretary,
Ministry of Tribal Affairs,
Shastri Bhawan,
New Delhi
3. The Chief Secretary,
UT of Andaman & Nicobar Islands,
Secretariat,
Port Blair

Sub: Report of visit of National Commission for Scheduled Tribes to Andaman & Nicobar Islands from 04.12.2018 to 06.12.2018 regarding killing of an US National Citizen allegedly by Sentinelese, an Aboriginal Tribe of Andaman & Nicobar Islands on 22.11.2018.

Sir,

I am directed to enclose copy of the report of the visit of the NCST to A & N Islands from 04.12.2018 to 06.12.2018 on the subject cited above. The NCST discussed the issue with the Chief Secretary, A & N Islands, Director General of Police, A & N Islands, Principal Chief Conservator of Forests of A & N Islands, Director of Anthropological Survey of India, IG Coast Guards and other stake holders. In addition to the discussion with this officers, the Commission also met Hon'ble Lt. Governor at Raj Niwas and discussed the issues. On 05.12.2018, the Commission has occasion to visit the Jarawas region in South Andaman and interacted with the Jarawas with the assistance from the officers of Andaman Adim Janjati Vikas Samiti, UT of A & N Islands Administration.

It is requested that a report on action taken/ to be taken on the recommendations of the NCST in the may please be sent to the Commission at the earliest.

2018
14/2/19
जारी किया
ISSUED

Yours faithfully,

(Dr. Lakh Latta)

Director

Tel: 011-24615012.

Copy to:

1. PS to Hon'ble Chairperson, NCS *20/2/19*
2. NIC (Please upload on the website of the Commission).

Sanjay
20/02/19

Govt. of India
National Commission for Scheduled Tribes

File No. VP/1/2018/STGAN/DEOTH/RU-III

Report of visit of National Commission for Scheduled Tribes under Article 338A (5)(a) of the Constitution from 04/12/2018 to 06/12/2018 to Andaman & Nicobar Islands in respect of news items for relaxation of Restricted Area Permit (RAP) for foreign nationals including tourism development in 30 Islands of Andaman and Nicobar Islands and killing of an US National citizen allegedly by Sentinelese, an Aboriginal Tribe of Andaman & Nicobar Islands on 22/11/2018.

The Andaman & Nicobar Islands are the traditional homes of Aboriginal tribes namely: Andamanese, Jarawas, Ongese, Sentinelese, Nicobarese and Shom Pens declared under the Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 (PAT). In the year 1959, these communities were notified as Scheduled Tribes under Article 342 of the Constitution in respect of UT of A&N Islands. Out of six, five communities namely: (i) Great Andamanese (ii) Jarawas (iii) Ongese (iv) Sentinelese and (v) Shom Pens have also been declared as Particularly Vulnerable Tribal Groups (PVTG) in A&N Islands.

2. The Andamanese, Ongese, Jarawas and Sentinelese belongs to Negitro race whereas Shom Pens and Nicobarese belongs to Mangoloid race. The Andamanese in Strait Island, Ongese in Little Andaman, Jarawas in Middle and South Andaman, Nicobarese in Nicobar district and Shom Pens in Great Nicobar Island settled in islands of A&N Islands.

3. The NCST organized a Conference on 27th and 28th June 2018 on "Conservation of Particularly Vulnerable Tribal Groups: the way forward which was attended by Anthropologists, Social Worker, Administrator and Research scholar and it was consensus view that the conservation of PVTGs is a paramount and all other interest should be subservient to the conservation of the PVTGs in A&N Islands, as only handful of them are left.

4. The Ministry of Home Affairs (Foreigners Division) vide Circular No. 25022/32/2018-F1 dated 29/06/2018 had issued the guidelines to exclude 29 inhabited islands in UT of Andaman &



नन्द कुमार साय/Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Nicobar Islands from the Restricted Area Permit Regime notified under the Foreigners (Restricted Areas) Order 1963 till 31/12/2022 with certain conditions. In this respect various representations were received in the NCST. The NCST deeply concerned about the issues raised in the representations and report published in "The Hindu" Newspaper on 08/08/2018 regarding relaxation of RAP. Accordingly, the Hon'ble Chairperson, NCST on 08/08/2018 took up the matter with the Hon'ble Home Minister to look into problems of Vulnerable PVTGs of Islands and stopped such type of relaxation, which will harm the culture and peace of the PVTGs.

5. A news item published in "The New India Express" on 22/11/2018 caption "American killed by tribals in Andaman, the NCST expressed serious concern over the News Report and took up the matter with the Ministry of Home Affairs and Chief Secretary, UT Administration of A&N Islands on 22/11/2018 for facts and comments. The Ministry of Home Affairs vide letter dated 28/11/2018 has forwarded the report on RAP and alleged killing of an US National in North Sentinel Islands received from Directorate of Tribal Welfare, A&N Islands. In this report provisions of PAT, SCs & STs (Prevention of Atrocities) Act, 1989, Restriction under Foreigners (Restricted Area) Orders, 1963, VISA manual conditions/Passport Act, 1920, Restrictions existing Reserved Area Permit (RAP) Order, Regulations under Indian Forest Act, 1927 and Wildlife (Protection) Act, 1972 and Special Care provided through policy formulation and Legal protection by Andaman & Nicobar Administration implemented / adopted for protection of PVTGs had been discussed. Brief of facts and action taken by the A&N Islands Administration mentioned in the report is as under:

"on 19/11/20018 an email was received from David N. Roberts, Vice Consul, American Citizen Services, US Consulate General, Chennai wherein it was informed that they have received a communication from the mother of one Mr. John Chau, citizen of United States of America about her son's visit to North Sentinel Island wherein he was purportedly attacked. A&N Police registered a case vide Cr. No. 91/18 dated 20/11/2018 under Section 302/34 of IPC at PS Humfrygunj. Further, another case at PS Humfrygunj has been registered vide CR No. 92/18 dated 20/11/2018 under Section 282/336/304/34 under IPC read with Section 7/8 PAT, 1956 in which 07 accused persons have been arrested and the investigation was on. Further, all options are being considered in consultation with expert to retrieve the body of Mr. Chau. However, at this stage, this possibility appears remote.

However, from the diary left behind by Mr. Chau, it is very clear that he was very much aware of the legal provisions restricting the entry into the tribal reserve on North Sentinel Island and danger thereof. Mr. John Chau writes "Jonathan won't be accompanying me as they will be at sea doing their regular fishing, moreover, to avoid missing suspicion and there is high chance that they would get checked by Indian Coast Guard". In another instance, he writes, "the Milky Way was above and God himself was shielding us from Navy and Coast Guard". It is clearly evident that Mr. John Chau has purposefully chosen to ignore the law and was cognizant that he may be apprehended by the enforcement authority for the violation of law. Hence, it was a willful breach of the law by Mr. John Chau and his accomplices. He was injured and hit by an arrow. The person, who ferried him to the Island advised him to return to safety. However, he chose to go back again to North Sentinel Island as he felt that otherwise he would have failed in his mission of spreading the word of God".


On 20/11/2018, a team of A&N Police alongwith Indian Coast Guard, tried an aerial survey for carrying out of reconnaissance of North Sentinel Island but returned as the helicopter developed technical snag. On 22/11/2018, after consulting Tribal Welfare Department and Forest Department a joint team consisting of A&N Police and Official of AAJVS (Andaman Aadim Janjati Samiti) went in an Indian Coast Guard boat to the vicinity of the North Sentinel Island to reconnoitre and identify the place of incident without causing any distress and disturbing the tribals. Similarly on 23/11/2018 during the second round of expedition a joint team also took to alleged accused who are on Police custody. The arrested accused who accompanied the team reportedly ferried Chau in their vessel to the North Sentinel Island. The Police is also taking help of Anthropologist, Academician, Forest Department and experts to guide and assist the Police in investigation. The Police is taking all due precautions without compromising the safety and security of the Aboriginal tribes and also follow the institutional mechanism established for the rights and interest.

The A&N Administration vide order no. 3613 dated 26/11/2018 had constituted a Committee comprised of Secretary, Tribal Welfare (as a Chairman), Officer on Special Duty, Home (Member), Inspector General of Police, Law and Order (Member), Chief Port Administrator, PMB (Member) and Sub-Divisional Magistrate, SA (Convenor) with following terms of reference of the enquiry of incident and report within 30 days.

- (i) To review the institutional mechanism to prevent the landing of foreign national in the North Sentinel island.
- (ii) To suggest measures to prevent such incidents in future.

In the report, A&N Islands Administration has also mentioned the background / history of the contact with the Sentinelese –

UT Administration persuaded a policy / system to know and understand more about the tribals. The expedition team used to periodically go to North Sentinel Island as a result of such, a long drawn the first ever friendly contact with the



Sentinelese was established on 04/01/1991 by the Official contact expedition team of the Administration when the Sentinelese came down to the shore without arming themselves with their usual bows and arrows. The team landed in the chest deep shore water and handed them over the coconut directly instead of dropping them from a distance as done in the past.

Later, it was felt that the friendly gesture of the Sentinelese towards outsiders could be exploited by the poachers and unscrupulous persons. There age old hostility no doubt is the best and impregnable defense against the outsiders. Therefore, matter was reviewed and it was decided by the Administration that contact missions need not be organized regularly and thus they were allow to revert back to their hostility towards outsiders. Further, it was also decided to keep vigil from a distance so that no outsiders could venture to go near the North Sentinel Island and exploit the tribals and their resources.

The A&N Administration has constituted a circumnavigation team consisting of Officers from Tribal Welfare, A&N TRI, AAJVS, An SI, Forest and Health Departments which goes around the Island periodically to make observations of well being of the Sentinelese from distance. One such circumnavigation was carried out in 2014 and similar expedition through circumnavigate the North Sentinel Island will be carried out periodically.

6. The NCST reviewed the report of the A&N Administration received from the Ministry of Home Affairs and discussed with the Officers of Ministry of Home Affairs on 28/11/2018. The Officers of Ministry of Home Affairs had apprised the NCST regarding the background to relax the Restricted Area Permit to 30 Islands in A&N Islands. The Hon'ble Chairperson, NCST expressed the concerned on unfortunate incident and stated that the vulnerability of the Sentinelese in North Sentinel Island increased many fold and any aggressive steps to recover the body of Mr. Chau an US citizen will adversely disturb the peace and tranquility in the Island. This issue was discussed in the 108th Meeting of the Commission held on 28/11/2018 and the Commission decided that:

- (i) A note may be sent to the Ministry of Home Affairs to examine the possibility of re-introducing Restricted Area Permit (RAP) in A&N Islands.
- (ii) The Commission should visit Andaman & Nicobar Islands shortly to assess the situation.

7. In pursuance of decision taken in 108th Meeting of the Commission held on 28/11/2018, the full Commission under the leadership of Dr. Nand Kumar Sai, Hon'ble Chairperson, NCST accompanied with Officers of the NCST visited A&N Islands from 4th – 6th December, 2018 to enquire the facts and assess the situation of Aboriginal tribes as well as PVTGs of A&N Islands.

8. As per schedule of the visit, the Commission first met on 04/12/2018 at 1200 Hours with the representative of Civil Societies / NGOs working for PVTGs in A&N Islands. In the meeting, representative of Fishermen's Association, Andaman Chamber of Commerce and Industries, Anthropological Survey of India, Banvasi Kalyan Ashram, Vishva Hindu Parishad, Akhil Bhartiya Vidyarthi Prishad. Chairman, Tribal Council had raised the problems faced by the tribals of Andaman & Nicobar Islands. Some of the issues raised by them are as under:

- (i) A&N Administration not issuing the License to the original Fishermen's for fishing.
- (ii) Scheduled Tribes are not getting medical facilities in proper way, as the Health Officials step deal with them.
- (iii) Objectionable videos of the PVTGs of A&N Islands should be removed from the social websites.
- (iv) There is urgent need to frame a rule to stop the conversion of STs to Christianities.
- (v) The guidelines issued by MHA regarding relaxation in RAP should be withdrawn.
- (vi) Hon'ble Lieutenant Governor, UT of A&N Islands needs to be empowered to change the schemes being run by the A&N Islands Administration, keeping in view of the local and present needs.
- (vii) The strict vigilance should be enforced / keep on the foreigners for entering in the reserved areas for tribes.
- (viii) At present no University located at Port Blair, hence, an University needs to be set up at Port Blair.

9. After meeting with the representative of civil societies and NGOs of A&N Islands, NCST discussed the issues with Chief Secretary, A&N Islands, Director General of Police, A&N Islands, Principal Chief Conservator Forests, A&N Islands, IG, Coast Guard, CIO (Army)

Director of Anthropological Survey of India and other Senior Officers of A & N Islands Administration on 04/12/2018 at 3:00 P.M.

10. List of participants attended the meeting is annexed.

11. The Joint Secretary, NCST introduced the dignitaries and Officers of the Commission and requested the Officers present in the meeting for self introduction. Officers present in the meeting introduced themselves. At the outset of the meeting Hon'ble Chairperson, NCST told about the role of the NCST and pointed out that it was unfortunate that an US National killed by Sentinelese as alleged in the Newspapers and Social Media. It is responsibility of Govt. of India and the A&N Administration to protect the Aboriginal tribes of A & N Islands. Therefore, it is a matter of concerned that after various protective measure / rules, this unfortunate incident happened. The A&N Islands Administration should stringed the provisions for protection of aboriginal tribes of Islands. The Commission hopes that Govt. of India and the A&N Administration will take necessary steps to avoid such type of incident in future. The Hon'ble Chairperson invited the Chief Secretary, DGP, IG, Coast Guard and Director, Anthropological Survey of India to enlighten the NCST regarding action taken / proposed to be taken by the A&N Administration and suggestions for remedial measures to avoid such incidents.

12. The Director, Anthropological Survey of India, Kolkata informed that the Anthropological Survey of India had opposed relaxation on the RAP issued by the Ministry of Home Affairs vide circular No. 506 dated 29/06/2018 and subsequently circular No. 514 dated 17/09/2018. However, a study of five Islands namely Straight Island (Andamanese), Middle and South Andaman (Jarawas), North Sentinel Island (Sentinelese), Little Andaman (Ongese) and Great Nicobar (Shom Pens) inhibited by PVTGs being carried out (for removal of these Islands from 29 Islands) and outcome will be informed by the institute to the Commission.

13. The Director General of Police, A&N Islands reiterated the facts and comments as mentioned in the report dated 27/11/2018 of the Directorate of Tribal Welfare, A&N Islands received from the Ministry of Home Affairs vide letter dated 28/11/2018 in the NCST. In addition to those facts, it was informed that Mr. John Allen Chau who earlier also visited the A&N Islands. The victim maintained diary which reveals that he was well versed with the rules and regulations of the A&N Administration and also consequences for the entering in the


Sentinelese habitats. The matter is under investigation. Fishermen involved in the case have been arrested and interrogated. The cases of foreign nationals for entering in tribal reserved had been reported in the year 2013, 2014 and 2017. The DGP emphasized that the Police Marine Force needs to be strengthened, for avoiding such type of incident in future.

14. The Chief Secretary, A&N Administration asked the Officials of the A&N Administration to present the Power Point Presentation on the activities taken by the A&N Administration for welfare and well being of the scheduled tribes of the Islands. In the presentation, population and location of STs of A&N Islands, welfare measure, infrastructure created for each tribes, agencies involved for welfare of scheduled tribes, new initiatives, policies and legal protections and action taken / proposed to be taken after the incident at North Sentinel Islands were informed. Brief of the presentation is as under:

Population and location of tribes

POPULATION AND LOCATION OF SCHEDULED TRIBES OF A&N ISLANDS										
Name of Tribe	Location	Tribal reserved (in Sq Km.)	Population							
			1951	1961	1971	1981	1991	2001	2011	2018
Andamanese	Strait Island	6.01	23	19	24	26	45	43	44	75
Ongese	Little Andaman	403.37	(150)	129	112	94	95	96	101	120
Jarawas	Middle and South Andaman	1040.84	(50)	(500)	NE	31	(280)	(240)	380	514
Sentinelese	North Sentinel	59.67	NA	(50)	NE	NE	(100)	(39)	(50)	(50)
Nicobarese	Nicobar district	899.764	11902	13903	17874	21984	26000	28653	27168	27168
Shom Pens	Great Nicobar	853.19	(20)	71	92	23	250	398	229	237
Total		3262.84	12145	14672	18102	22361	26770	29469	27972	28164

NOTE: BRACKETS INDICATE ESTIMATED POPULATION


 नन्द कुमार साय/Nand Kumar Sai
 अध्यक्ष/Chairperson
 राष्ट्रीय अनुसूचित जनजाति आयोग
 National Commission for Scheduled Tribes
 भारत सरकार/Govt. of India
 नई दिल्ली/New Delhi

Welfare Measures

The free ration, free medical treatment, fishing material, purified drinking water, electricity, coconut plantation, Guest House facilities have been provided to the Andamanese and Ongese. 26 Andamanese and 7 Ongese employed in Govt. services (Police, Health, Forest, Electricity, Shipping, AAJVS etc.). 38 Ongese children are studying in school at Dugong Creek.

Health facilities provided to the Jarawas. If needed, Jarawas are shifted to separate special wards in Hospitals for treatment. Buffer zone notified in 2013 around the Jarawas Tribal Reserve (5 Km. landward side, provided prohibition of all commercial/tourism activities in the buffer zone). Jarawas lived in band of 10 to 12 families. The Vehicular convoy system on ATR abutting Jarawa Reserve. The policy for Jarawas have been formulated in 2004 for protection and welfare of the community.

The North Sentinel Island and Coastal sea upto 5 Km. from High Water Mark is notified as tribal reserve. The sentinelese practice fierce hostility towards outsiders. The Ships and Aircrafts of Coast Guard and Boats of Marine Police make sorties around North Sentinel to keep a surveillance. "Eyes On" and "Hands off" policy is being followed.

Shop Pens are living in the interior of the Great Nicobar Island, occasionally come to the Campbell Bay for the medical assistance and other requirement. Free medical treatment is being provided to them. Fishing materials, iron tools are being provided to them. Free ration like rice, dal, salt and match box provided by the Administration to them.

The Nicobarese are living in the Nicobar Island and basically are horticulturists. They are in the main stream of development because of modern education due to the efforts made by Padma Bhushan (Late) John Richardson a Nicobari himself.

Agencies involved

Andaman Adim Janjati Vikas Samiti (AAJVS):- AAJVS an autonomous organization set up in 1976 to look after of the welfare of PVTGs. The Hon'ble Lieutenant Governor of A&N Islands is the President of the General Body of AAJVS and Chief Secretary, A&N Administration is the Chairman of Executive Council of AAJVS. The five Tribal Officers, 35

Janjati Sevak, six ANMs, 2 Pharmacist deployed in the tribal reserve for their well being. An amount of Rs. 7.5 Crores have been allocated to AAJVS from 2014 onwards for creation of infrastructure and development.

Andaman and Nicobar Tribal Research and Training Institute (ANTRI):- ANTRI is formally inaugurated by Hon'ble President of India on 12/01/2014. At present ANTRI has a small museum and library. The main objective of ANTRI to conduct Research / Training for the Welfare and protection of Aboriginal tribes and PVTGs of A&N Islands.

New initiatives:

One District Hospital, one CHC, 4 PHCs and 33 Sub-Centers have been set up to serve the PVTGs. Special wards at Kadamtala, Ferrargunj, Tushnabad, RK Pur and GB Pant Hospitals have been set up for PVTGs. The "Kangapo" projects wherein stitched clothes are being provided to Jarawas in exchange of their handicrafts. Under "Ang Katha Project" the informal education to the Jarawas is being provided to read, write and count and other recreational activities. Sapling(s) of coconut, bananas, Jackfruits, Mango, Guava etc. are being provided to PVTGs to plant them in their reserve area for augmentation of resources. The research studies have been initiated to protect the health of PVTGs through various medical institutions. The Administration has already drafted amendments in PAT, 1956 to make it more stringent in terms of the penalties and imprisonment.

Policies and Legal Protections:


The PAT, 1956, SCs and STs (PoA) 1989, Restrictions under Foreigner (Restricted Area) Orders 1963, Indian Forest Act, 1927 and Wildlife (Protection) Act, 1972 and Rules and Laws enforce are being implemented by the A&N Administration for welfare and protection of Scheduled Tribes of A&N Islands (which also known as PVTGs and Aboriginal Tribes).


नन्द कुमार साय/Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Action Taken / proposed to be taken after the incident at North Sentinel Island

Brief of the action taken / to be taken by the A&N Administration as reported is as follows:

- (i) A&N Administration on 26/11/2018 has constituted a five member committee under the Chairmanship of Secretary (TW), A&N Administration to conduct the aforesaid inquiry with the following terms of reference which will submit its report within 30 days.
 - (a) Review of institutional mechanism to prevent landing of persons in North Sentinel Island.
 - (b) To suggest measures to prevent such incidents in future.
- (ii) A Press release issued stating that all prohibited areas which includes tribal area (as also North Sentinel island) continue to remain off limits as hitherto fore.
- (iii) Coastal sea upto 10 Km. from high water marks is proposed to be notified as tribal reserve so that ships will not pass nearby North Sentinel Island.
- (iv) The airspace above the tribal reserve of Sentinelese is proposed to be declared as "No Fly Zone" to avoid possible disaster.
- (v) Possibility of establishing constant surveillance around the North Sentinel will be explored.
- (vi) Committee involving anthropologists from AnSI and Administration will be constituted to sensitize the fishermen.
- (vii) The following instruction issued by the A&N Administration vide circular dated 10/09/2018 that even after the exclusion of 29 inhabited Islands in UT of A&N Island from the restricted area permits regime notified under restricted foreigners (Restricted Area) orders 1963 conveyed vide letter no. 25022/32/2018-F1 dated 29/06/2018 of Ministry of Home Affairs, separate approvals of the Competent Authority would continue to be required for visiting reserved forests, wildlife sanctuaries and tribal reserve as the case at present. This circular widely circulated through print and electronic media in the island as well as in the National Media. Further, all the Law Enforcement Agencies were also directed to follow the circular letter in spirit.



नन्द कुमार साय/Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

- (a) The provisions regarding issuance of pass by the Deputy Commissioner(s) under section 7 of PAT regulation for entering a Reserved Areas in A&N Islands will continue as is the case at present in case of India Nationals.
- (b) In case of foreigners visiting A&N Islands and wishing to access the tribal reserve, the Deputy Commissioner shall refer the application to the Principal Secretary (Tribal Welfare) for prior approval of the Administration.
- (c) Under section 28 of Wildlife (Protection), Act, 1972, prior permission of the Competent Authority is required for investigation or study and purpose ancillary or incidental thereto, a photography, sanctuary research, tourism and transaction of lawful business with any person residing in the sanctuary, subject to the conditions and payment of fee as provided in the Rules made under the Act aforesaid.

15. IG, Coast Guard informed that Patrolling are conducted by Coast Guard very strictly. The five ships have been engaged in this regard. The directions to be issued to check the security of Sentinelese through boat(s) also.


16. The Hon'ble Chairperson, NCST emphasized that someone focusing the innocent scheduled tribes of India specially aboriginal tribes of A&N Islands. There is an urgent need to find out that group / person. The Hon'ble Chairperson, NCST had also pointed out the issues raised by the civil societies representatives / NGOs in the meeting held on 04/12/2018 at 12:00 Noon i.e. for removal of objectionable photographs of the PVTGs of A&N Islands from the Social Media / website; setting up of a tribal museum; alternate sea route in Jarawa reserve; setting up of University at Port Blair etc.

17. The Chief Secretary, A&N Administration informed that the A&N Islands boundaries touched with the seven countries which is a National challenge and creates difficulties to protect the PVTGs of A&N Islands. The telecommunication connectivity in A&N Islands is very low (i.e. 1.5 GB), which requires strengthen. The UT Administration is discouraging tourist traffic in the Jarawa tribal reserve. Alternate sea route project from Port Blair to Baratang has been

operationlized from October, 2017 to reduce the tourist traffic on the ATR abutting the Jarawa reserve. Regular Boat service from Havelock to Baratang has been started. The tour operator are being sensitized to prefer taking the alternative sea route for visiting the Baratang rather than taking ATR passing through Jarawa Tribal reserve. The A&N Administration will strengthen the patrolling system for the protection of PVTGs of A&N Islands. The A&N Administration has already notified the policy for Jarawas and Shom Pens in the year 2004 and 2015 respectively. As far as, setting up of University in A&N Islands, the Hon'ble LG, UT of A&N Islands has already approved for setting up of Cluster University. This hopefully announced in 30th December, 2018 by the Hon'ble Prime Minister during celebration of 75th Anniversary of Independence in A&N Islands, to be organized by the A&N Administration.

18. The Chief Secretary, A&N Administration asked Hon'ble Chairperson, NCST for solution to development / protection of Jarawas and other PVTGs of A&N Islands. The Hon'ble Chairperson suggested that the community needs to be divided in two groups i.e. (i) advanced and (ii) under advance. Thereafter, the planning / schemes for betterment of these communities to be chalked out. Study of lifestyle of each communities needs to be carried out. At first, how the community is educated, this should be matter of concern. Medicine system prevalent in the PVTGs needs to be studied out and strengthen for better health of the scheduled tribes, PVTGs and aboriginal tribes of A&N Islands.

19. The Hon'ble Vice-Chairperson, Members and Officers of NCST under the leadership of Hon'ble Chairperson, Dr. Nand Kumar Sai met Hon'ble Lieutenant Governor of UT of A&N Islands, Shri D. K. Joshi (retired Admiral) on 04/12/2018 at 4:00 P.M. The Hon'ble Chairperson, NCST shared the problems / suggestions with Hon'ble LG, which were discussed in the meetings held on 04/12/2018 with the representative of Civil Societies / NGOs of A&N Islands and the Chief Secretary, A&N Islands, DGP, A&N Islands, Principal Chief Conservator of Forest, A&N Islands, IG, Coast Guard, Director, Anthropological Survey of India and senior officers of the A&N Administration on the alleged killing of citizen of US National and relaxation given by MHA on RAP.


नन्द कुमार साय/Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

20. The Hon'ble Lieutenant Governor of UT of A&N Islands informed in brief about the incident of killing of an US National citizen and relaxation given by MHA on RAP. He assured that the Administration will take action on the report received from the Committee, constituted by A&N Islands Administration on 26/11/2018 to inquire the matter. He endorsed the statement of the Chief Secretary regarding setting up of University in Port Blair. He appreciated the suggestions of NCST for giving more powers to LG of UT for framing and modification in respect of the schemes being implemented for welfare and development of scheduled tribes of A&N Islands.

21. Followed by meeting with the Hon'ble LG, UT of A&N Islands, Hon'ble Chairperson of NCST had a meeting at 4:30 P.M. on 04/12/2018 with the representative(s) of local newspapers and electronic media of A&N Islands. The Hon'ble Chairperson, NCST shared the important issues with the representative of media of A&N Islands which were discussed in the meetings with the Chief Secretary, A&N Islands and Hon'ble LG, UT of A&N Islands. Media persons asked about the action taken by the A&N Administration on the killing of an US citizen. The Hon'ble Chairperson endorsed the facts and information given by the Chief Secretary and DGP of A&N Island in the meetings held on the day.

22. As per schedule of the visit, NCST proceeded on 05/12/2018 at 7:30 A.M. to visit the Baratang (via Tushnabad, Ferargunj, Mile Tilak, Jirkatang) to see the welfare activities undertaken by the A&N Administration for the Jarawas, PVTGs. The Officers of Directorate of Tribal Welfare and Director, ANTRI accompanied NCST during the visit of Baratang. At the Jirkatang check post of Jarawas reserve, Commission interacted with the Police Personnel deployed at the check post. The Police Personnel informed that the vehicular convoy system on ATR operated from this check post at 9:30 A.M., 12:30, 2:30 and 4:00 P.M. and similarly from the Baratang. It was informed that near about 700 vehicles passed through Jirkatang check post to Baratang out of which near about 150 Govt. vehicles. The details of vehicles and passengers of the date from 02/12/2018 to 04/12/2018 at Jirkatang check post was also provided:



नन्द कुमार साय/Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Date	Mode of transportation							Total Passenger
	Bus	Truck	Car	Omni	Jeep	Others	Total Vehicle	
02/12/2018	44	31	87	03	03	64	232	1579
03/12/2018	19	09	32	04	06	20	90	813
04/12/2018	36	27	79	03	11	73	229	1715

23. The Hon'ble Chairperson asked Police Personnel how they check the vehicles before entering the Jarawa reserve. It was informed that the Police Personnel deployed at the check post thoroughly checked the vehicle, but some time it was become difficult to check the vehicles when number increased. Therefore, there is need to deploy more Police staff / employees at the check post for thorough checking of the vehicles (to check items like biscuit, chewing tobacco and mineral water bottle etc., which dangerous for the health of Jarawas and their habit). In addition to this, more vehicles are required for patrolling of the tourist taxi / traveler buses, which are luring the tourist to meet the Jarawas on ATR. The AAJVS representative was also informed that the vehicle for AAJVS are also required for carrying the Jarawas from one place to another place on ATR, since, the Jarawas getting help of the Trucks to move from one place to another place which is dangerous for them.

24. NCST reached at Potatang (Jarawas community center) where A&N Administration runs a School for Jarawas children through AAJVS staffs. The School constructed by wooden. In the school, near about 30 children (both boys and girls), four-five parents and one Tribal Officer, one ANM and tow teachers (Male and Female both employees of AAJVS) were present. There was one blackboard and one big chart picturized the Ang language (Jarawas language) with Hindi dialect. The Tribal Officer asked the children to count the number and perform the dance. Jarawas children in a group loudly counted the numbers picturized in the chart and also performed the traditional dance in the group. Parents (Jarawas) were very happy and performed their traditional dance. Hon'ble Chairperson asked the Jarawas, who were present in the community centre of his / her desire. Jarawas shown arrows and demanded for arrows made of steel for hunt of wild boar.

25. The accompanied Officers of A&N Islands suggested /advised NCST that not to visit the Baratang, as the road condition not good, so visit the Jarawas hut, which at the Nine kilometer towards Jirkatang. The representatives of AAJVS and Director, ANTRI guided and bring the dignitaries of NCST and Officers to the hut of Jarawas, which was located near about hundred meter in forest from the ATR road at Nine kilometer. The Jarawas's hut was round in shape and made of bamboo, leaves and branches of trees. Entry point of hut was opened from all side. The hut was based / supported on wooden sticks / bamboos and level was up from the ground i.e. two to three feet. There were the plastic utensils (bucket, bottle and mug etc.). In addition to that, number of baskets made of the bamboo (handmade) was also there. Most of the buckets were hanged and tied with the plastic ropes. None of the article was on the ground. The head(s) of killed / hunted wild boar were kept in the net(s) which were made of grass and hanged within hut. It was informed that the more head(s) of killed boar in a net represent that the owner of the net is the good hunter. In the hut, it was observed that there was 11 to 12 families (average 3 to 4 Members in a family) reside, since, there were the demarcation putting bamboo /wooden sticks in a line on the grounds within the hut which shows the number of persons sit/ sleep there. During the visit, the Jarawas were not present. It was informed that one Jarawa died recently, therefore the families of Jarawas had been moved to another place for search of food and as per their custom.

26. After visit of Jarawas hut, the Commission alongwith accompanied representatives of AAJVS and Director, ANTRI returned to Ferrargunj and then proceeded for Port Blair and visited the Cellular Jail and Aberdeen War Memorial at Port Blair near sea shore in evening on the day. Aberdeen War Memorial constructed in the memory of Martyrs of Great Andamanese, who fought bravely on 14th May 1859 for freedom with 400-600 British soldiers who had modern equipments. The Hon'ble Chairperson, Vice-Chairperson, Members and the Officers of NCST paid wreath and tribute to the Great Andmanese martyrs. Thereafter, NCST visited the Cellular Jail specially cell of Veer Vinayak Damodar Savarkar. Later on enjoyed light and sound programme at Cellular Jail.



नन्द कुमार साय/Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

27. After discussions in the meeting (s) with the Hon'ble Lieutenant Governor of A&N Islands, Chief Secretary, UT of A&N Islands, DG Police, A&N Islands and IG Coast Guard, Director, Anthropological Survey of India and Senior Officers of A&N Islands Administration, representatives of civil societies / NGOs of A&N Islands on 04/12/2018 and visit of Jarawas Areas at Potatang on 05/12/2018 in South Andaman Island, NCST recommends that following steps to be taken by the Government of India (Ministry of Home Affairs) and A&N Islands Administration for welfare and protection of Aboriginal Tribes and declared as Particularly Vulnerable Tribal Groups (PVTGs) in Andaman & Nicobar Islands. In the morning of 6-12-2018, NCST proceeded for Chennai.

- (1) The names of Strait Island (Andamanese) Middle and South Andaman (Jarawas), North Sentinel Island (Sentinelese), Little Andaman (Ongese) and Great Nicobar (Shom Pens) inhabited by PVTGs should be removed from the list of 29 Islands mentioned in the Annexure of the Circular No. 506 dated 29/06/2018 (file no. 25022/32/2018-F.I), Ministry of Home Affairs (Foreigners Division).
- (2) NCST presumed that if action is taken to retrieve the dead body of the US National Citizen who allegedly killed by Sentinelese, it would create abusement for peace and tranquility of the Sentinelese. Therefore, as such steps need not be taken to disturb them.
- (3) Surveillance and patrolling includes checking of vessels / vehicles abutting the PVTGs inhabited Islands should be strengthen by A&N Police and Coast Guard. The mechanism should be devised to host / upload the Daily Report of patrolling in the areas of the related Departments /Agencies.
- (4) Posters/hoardings should be displayed / placed at the airport, seaport, hotels and all other important places in Andaman and Nicobar Islands decrying tourism and / or visit of any kind by the people to the islands inhabited by the PVTGs.
- (5) Air space above the North Sentinel Island inhabited by Sentinelese should be declared as "NO FLY ZONE" for any type of civil aircraft.

- (6) A comprehensive outreach programme should be launched by Andaman and Nicobar Administration to sensitize fishermen, tourist guides, tour operators, hotel industry and other stake-holders on the "EYES ON" and "HANDS OFF" policy for Sentinelese as well as other PVTGs so that they can be eyes and ears of the Administration.
- (7) Study on health condition of each PVTGs, who is in touch with the Administration be conducted by ANTRI.
- (8) Details of tourist, who visit frequently the PVTGs areas be called out / maintained.
- (9) License to fishermen should be issued very carefully.
- (10) Culture, songs and handicrafts of each PVTGs should be preserved at Museum of ANTRI.
- (11) AAJVS should be strengthened and more vehicles should be provided to their worker deployed in the PVTGs areas, so that they can carry (people of PVTGs) them where they want to move, especially for Jarawas. Employees / Workers of AAJVS deployed in tribal reserve area, whose performance outstanding should be awarded in terms of cash. This will encourage employees to act cordially with the PVTGs.
- (12) More Police personnel should be deployed at the check post of Jirkatang and Baratang, for thorough checking of the vehicles at the starting point.
- (13) The more vehicles (Jeep / Van / Bike) should be allocated to the Police Personnel / other security personnel for patrolling in Jarawas reserve / PVTGs areas.
- (14) An University should be set up at Port Blair since, there is no University.
- (15) The Hon'ble Lieutenant of UT of A&N Island should be given more power to modify / launch new schemes / programmes for the welfare of PVTGs keeping in that time and local needs.

Govt. of India
National Commission for Scheduled Tribes

File No. VP/1/2018/STGAN/DEOTH/RU-III

List of participants in the meeting held on 04/12/2018 at 3:00 P.M. in Port Blair under the chairmanship of Dr. Nand Kumar Sai, Hon'ble Chairperson, NCST, New Delhi regarding killing of US National citizen allegedly killed by Sentinelese an Aboriginal Tribe of Sentinel Islands published in Newspaper on 22/11/2018.

I **National Commission for Scheduled Tribes**

- 1 Ms. Anusuiya Uikey, Hon'ble Vice-Chairperson
- 2 Shri H. K. Damor, Hon'ble Member
- 3 Shri H. C. Vasava, Hon'ble Member
- 4 Smt. Maya Chinatamn Ivinate, Hon'ble Member
- 5 Shri S. K. Ratho, Joint Secretary
- 6 Dr. Lalit Latta, Director
- 7 Shri R. S. Misra, Senior Investigator

II **Andaman & Nicobar Islands Administration**

- 1 Shri Chetan B. Sanghi, Chief Secretary
- 2 Shri Dipendra Pathak, Director General of Police
- 3 Ms. Ankita Mishra Bundela, Commissioner Shipping
- 4 Dr. S. E. Burma, DHE
- 5 Shri Tarun Coomar, Principal Chief Conservator of Forest and
Principal Secretary, I&F
- 6 Shri Yashpal Garg, Secretary, IP&T
- 7 Shri Udit Prakash, Secretary, TW
- 8 Dr. Monica Priyadarshini, Deputy Commissioner (North)

9 Ms. Madhu K. Garg, Commissioner Pers./Fisheries

10 Shri Ashish Mehrotra, DIG

11 Ms. Rose Shimray, Assistant Commissioner (TW)

12 Shri S. A. Awardi, Director, ANTRI

13 Shri Govind Ram, Director (TW)

III Coast Guard

1 Shri Pathak, IG

IV Army

1 Colonel A. Dikshit, CIO

V Ministry of Home Affairs

1 Shri Shail Malge, Director (UT), MHA

VI Anthropological Survey of India, Kolkata

1 Shri V. K. Srivastava, Director