

ANDAMAN AND NICOBAR ISLANDS PROTECTION OF ABORIGINAL TRIBAL REGULATION, 1956

1 (Baztft 4, EXTRAOR PUBLISHED BY AUTHORITY PORT BLAIR, SATURDAY, JUNE 30, OFFICE OF THE CHIEF COMMISSIONER Andaman and Nicobar Islands. NOTIFICATION Pott Blair, 18th June 1956 1956. No. 76/ 56—The following Regulation promulgated by the President under clause (2) of article 243 of the Constitution and published in the Gazette of India, Extra- ordinary, Part, II, Section I, dated the 14th May 1956, is hereby re-published for general information THE ANDAMAN AND NICOBAR ISLANDS (PROTECTION OF ABORIGINAL TRIBES) REGULATION* 1856 No. 1 of 1956 Promulgated by the President in the Seventh Year of the Republic of India. A Regulation to provide for the protection of the interests of socially and economically backward aboriginal tribes in the Andaman and Nicobar islands. In exercise of the powers conferred by clause (2) of article 243 of the Constitution, the President is pleased to promulgate the following Regulation made by him : (1) This Regulation, called the Andaman and Nicobar (Protection of Aboriginal Tribes) Regulation, 1956. Short title and commencement Definitions Declaration of reserved area land for agricultural purposes. Transfer and attachment of land to be void in certain cases (2) It extends to the whole of the Andaman and Nicobar Islands. (3) It shall come into force on such date as the Chief Commissioner may, by notification, appoint. 2s In this Regulation, unless the context otherwise requires, — (a) aboriginal tribe means any of the following tribes or tribal communities in the Andaman and Nicobar Islands, and includes parts of or groups within, such tribes or tribal communities, namely; Andamanese, Jarawas, Onges, Sentinelese, Nicobarese, and Shom Pens (b) "Chief Commissioner" means the Chief Commissioner of the Andaman and Nicobar Islands ; (c) Deputy Commissioner means the Deputy Commissioner of the Andaman and Nicobar Islands ; (d) notification " means a notification published in the Gazette , (e) 'a' pass" means a pass granted under section 7; and (i) reserved area 'I' means an area which the Chief Commissioner has, by notification under 3, declared to be a reserved area, 3,) The Chief Commissioner by notification, declared any area which is predominantly inhabited by aboriginal tribes to be a reserved area and specifies the limits of such area: and may, from time to time, alter such limits. (2) If any question arises whether any area falls within or without a reserved area, it shall be decided by the Chief Commissioner and his decision shall be final

4. No waste or unoccupied land and at the disposal of the Government in a reserved area shall be allotted for agricultural purposes to any person other than a member of an aboriginal tribe
Provided that the Chief Commissioner may allot any such land to any person other than a member of an aboriginal tribe (a) if the Chief Commissioner is satisfied that such land is not required by any such member ; or (b) if in his opinion the allotment of land to a person other than a member of an aboriginal tribe is necessary for the purpose of consolidation of land or is otherwise in the public interest, 5 (1) No member of an aboriginal tribe shall, except with the previous sanction of the Chief Commissioner, transfer by way of sale, exchange, mortgage, lease or otherwise any land to any person other than a member of an aboriginal tribe, & NICOBAR GAZETTE, EXTRAORDINARY, JUNE (2) No land held or occupied by a member of an aboriginal tribe shall be liable to attachment or sale in execution of any decree or order of civil or revenue court (3) Any transfer, attachment or sale of any land made in contravention of this section shall be void. 6. (1) No person other than a member of an aboriginal tribe shall, except with the previous sanction of the Chief Commissioner, acquire any interest in any land situated in a reserved area or in any product of or crop thereon and in accordance with the terms and conditions of a licence granted by the Chief Commissioner, carry on any trade or business in any such area. (2) The provisions of sub-section (1) shall apply to any person who, at the commencement of this Regulation, is carrying on any trade or business in any such area after the expiration of sixty days from such commencement. 7, The Chief Commissioner may, by notification, prohibit any person other than a member of an aboriginal tribe or any class of persons other than members of an aboriginal tribe from entering a reserved area except on the authority and subject to the observance of the conditions and restrictions of a pass granted by the Deputy Commissioner or by such other officer as the Deputy Commissioner may authorise in writing in this behalf. 8, (1) Whoever in contravention of the provisions of section 6, acquires any interest in or in any product of, or crop raised on, any land, or carries on any trade or business, in a reserved area, shall be punishable with imprisonment which may extend to one year

or with fine which extend to one thousand rupees Or with both ; and the interest so acquired shall be disposed of in such manner as the Chief Commissioner may, after taking into consideration the circumstances of the case. direct, (2) Whoever, in contravention of a notification issued under section 7, enters a reserved area shall be punishable with imprisonment which may extend to one year. or with fine which may extend to one thousand rupees, or with both. (3) Whoever. does anything in contravention Of any of the conditions or restrictions subject to which a pass has been granted to him under section 7, shall be punish- ablo With imprisonment which may extend to one year, Or with fine which may extend to one thousand rupees or with both. 9. (1) The Chief Commissioner, or any person ?utho. rised by him in this behalf, _ may arrest without a warrant any person who has committed, or is suspected of having commjfted any offence punishable under this Regulation, 956 3 . Carry - served 4 THE ANDAMAN & NICOBAR GAZETTE, JUN? 3? Power to rtX\es. Reguiatior: override Othet (2) Every person arrested unde? sub-section (1) Sha!! be produced before the nearest magistrate within twentyv four hours of such arrest excluding the time necessary the journey from the place of arrest. 10. (1) The Chief Commissioner may, by notification, make rules to carry out the purposes of this Regulation, (2) In particulate and without p;ejudice to the gene- rality Of the foregoing powert such rules may provide for the form in which, the conditions and restrictions subject 'to which, and the fee not exceeding rupees fifty on pay. ment of which, a pass under section 7 shali be granted

11. The provisions of this Regulation and of any rule made theteunder shall have effect notwithstanding anything inconsistent therewith contained in any other Law for the time being in force ot in anv instrument having effect by virtue of any such law, or in any usage ot agreement t or in any decree ot order of any court or other authority. RAJENDRA PRASAD, President. K. BHANDARKAR, Secy. to the Govt. of By Order, RAM SARAN DAS, Assistant Secretary (Judi cle/) to the Chief Commissioner. & N. Islands OFFICE OF THE CHIEF COMMISSIONER, ANDAMAN AND NICOBAR ISLANDS NOTIFICATION Port B/a/t, the 19th June 1955. —in exercise of the powers conferred by sub.sEt No. ANPATR1(3) 1. section 1 of the Andaman and Nicobar Islands (Protection oi Aboriginal Trib tion, I '56 No. 3 of 1 956), the Chief Commissioner Andaman .and Nicobar pleased to appoint the first day of 1956 to he the date from whit* Regulation shall come into force. C. RAMACHANDRA Chief Commissionet. A & N, 77/S6 6 THE ANDAMAN & NICOBAR GAZETTE, EXTRAORDINARY, APRIL 21 1957 Ranger's Channet along the Bush Police L'ne subject to an adjustm that the line may coincide with an aligrunent to be aligned by Andaman and Nicobar Islands Forest Department in Porlob and Bot Yol areas betvveerüthe Yerati! 'Ch2taiungta Bush Police posts Pf0vii that sufficient land is left to the west of such .g!lgnment on the east side of the Range to pro vide enough huntiog gtound to Jarawas w they are on the move and bearing in the suitability oi s alignment, from the po}nt of view of water and terrain, asa pe path- (c) The entire area comprised int and enclosed within the coast line of e Of the following [skads, (iii) (iv) (vii) Rutland. North Sentinel, Cinque, Passage. Sisters. Brothers. South Sentinel and othæ Islands and Islets situated south warc the territory of the Andaman and Nicobar Islands upto anc eluding Little Andaman. (d) The entire area comp:'sed in, and enclosed within the coast lim each ot the fol\owing Isiands but excluding the area comprising air-field in Car and the ports of Camona and Cur Nicobar: (i) (iii) (iv) (v) (vi) (viii) (ix) (xii) Car Nicobar. Batti Malv, Chowra. Tilangchong-. Teresa. Bom poka. Camorta. Tri nkat, Nancowry, Katcha\i, Meroe. Trak. (xij) T reist (xiv) Menchaf. (xv) (xvi) (xvii) (xviii) (xix) Little Nicobara Pulo Milo. Great Nicobar Kondul. Kabra, Chief Commissioner, A & N. Islands, 4387.