

AGENDA NOTE ON DE-NOTIFICATION OF TRIBAL RESERVED AREA IN LITTLE ANDAMAN ISLAND FOR SUSTAINABLE DEVELOPMENT

1) PROJECT PROPOSAL

NITI Aayog has proposed for sustainable development of Little Andaman Island in three phases for which 239.24 Sq Km land is required:-

- (i) Zone 1 is the Financial District and Medi City along the eastern coast of the island with the airport as the catalytic anchor. This zone has been further sub-categorised into four districts (a) Aerocity (b) Medicity, (c) Financial District and (d) Tourism and Hospitality District
- (ii) Zone 2 is the Leisure zone located on the southern area of the island. The zone would house tourism attractive activities of entertainment and leisure such as casino strip, sports institutes, film city, and water based recreation etc. This zone has been further sub-categorised into three districts (a) Film City, (b) Residential District and (c) Tourism SEZ
- (iii) Zone 3 is the Nature zone located on the western coast of the island. This zone has been further sub-categorised into three districts (a) Exclusive Forest Resorts (b) Nature Healing District and (c) West Bay Nature Retreat.

The A&N Administration has designated Andaman and Nicobar Islands Integrated Development Corporation Limited (ANIIDCO) as Project Proponent. M/s ANIIDCO Ltd. has applied to the Directorate of Tribal Welfare to consider de-notification of tribal reserved areas falling in Phase-1 for development of various projects in Little Andaman Island as proposed by the NITI Aayog.

Survey of India vide letter no. T-1516/1147-Project (TNP & ANI GDC) dated 1.9.2020 (**Annexure-A**) has reported the area of Little Andaman on the basis of existing available topographical maps published by them as 682 Sq kms.

The phase-wise area required for development as well as tribal area required to be de-notified is as follows:

Zone/ Phase	Development activities	Requirement of total area for development (in Sqkm)	Tribal area to be de- notified on land (in Sqkm)
I	Financial District and Medi City	104.663	7.734
II	Leisure zone	82.456	78.968
III	Nature Zone	52.121	52.121
	Total	239.24	138.823

2) ABOUT LITTLE ANDAMAN ISLAND

Little Andaman has an area of 682 Sq Km spread over five revenue villages. The total revenue area is 34.34 Sq Km and the notified Tribal Reserve area is 445.883 Sq Km. Little Andaman has a dense carpet of forest covering about 88% of the total area. The topography of the island is relatively flat (0-20 meters) along the coast, covering existing revenue area and creeks. A large part of the island has elevation between 41-60 meters, with elevation >80 meters concentrated in the central lower half of the islands. The island receives 2108 mm rainfall annually, which is much higher than the all India average of 1100 mm. There are several streams, formed due to undulating topography most of which are perennial in natural, making water available throughout the year.

As per 2011 census, Little Andaman had a population of 18823 which included 101 Onge (Particularly Vulnerable Tribal Group) at Dugong Creek and 1258 Nicobarese (aboriginal tribe) at Harminder Bay.

Presently two aboriginal tribes namely Onge and Nicobari inhabit in Little Andaman Island.

- **Onge tribe:** Initially the population of Onges, a Particularly Vulnerable Tribal Group (PVTG), was dispersed throughout Little Andaman Island, in bands, but after 1976 the Onge have been settled at two places viz. Dugong Creek and South Bay in Little Andaman Island. After Tsunami of 2004, the Onge of South Bay were shifted to the upper half of Little Andaman (Bumila Creek & Dugong Creek).

The estimated population of Onge tribe from 1901 to 1991 is as below: -

1901	1911	1921	1931	1951	1961	1971	1981	1991	2001	2011
672	631	346	250	150	129	106	97	98	96	101

While the Onge maintain their distinct identity, they are no longer isolated hunters and gatherers as they were 100 years ago and their traditional life style is out of step with march of history.

- **Nicobari tribe:** 50 Nicobarese families comprising 150 members of Car Nicobar rehabilitated in Little Andaman on 28th March, 1973 and settled at place called Harminder Bay, 5 Km South of Hut Bay. 200 Ha. of coconut plantation has been raised close to their settlement. Their population as per 2011 census is 1258.

About 500 families from East Pakistan, Tamil Nadu, Sri Lanka, Myanmar and Kerala were settled in Little Andaman during 1970-80 against the original plan of 7000 families.

Red Oil Palm plantation was established by A&N Forest Plantation and Development Corporation (ANFPDC). Against the original sanction for 2400 hect, the ROP plantation reached 1593 hect. by 1985, when the government called a halt to clear felling of trees on account of environment and viability concerns.

3) REGULATION

The Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 (commonly known as PAT Regulation) (**Annexure-B**) promulgated by the President of India provides for protection of the interests of aboriginal tribes and declaration of the geographical area as reserved areas for tribes.

Section 3(1) of the Regulation provides that the Lieutenant Governor, A&N Islands may by notification, declare any area which is **predominantly inhabited** by aboriginal tribes to be a reserved area and specify the limits of such area; and may, from time to time, in like manner alter such limits.

Further, the following safeguards are provided to the aboriginal tribes under the PAT Regulations:

- (i) The areas inhabited by aboriginal tribes are notified as 'reserved area', entry to which by the outsiders is regulated under the provisions of PAT Regulation and its amendments. The Deputy Commissioner of the District is the statutory authority under the said Regulation to regulate the entry through a mechanism of issue of a Pass. Any violation of the provisions may lead to strict penalties.

- (ii) The Regulation also provides that no waste or unoccupied land at the disposal of the government in the reserved area shall be allotted/ transferred for agricultural purposes to any person other than the member of aboriginal tribes.

As on date, there is no approved policy for Onge tribe of Little Andaman Island and the same is under consideration.

4) TRIBAL RESERVE

Initially entire area of Little Andaman was notified as Tribal Reserve vide Notification No. ANPATR/1(3)/1 dated 2.4.1957 (**Annexure-C**). Later, part areas of Little Andaman were de-notified to implement settlement policy in the following manner:

- i) Notification No. 62/72/F. No. 81-9/71-J(I) dated 26.4.1972 (**Annexure-D**)
In clause (c), item (vii), for the words "upto and including Little Andaman" the following shall be substituted, namely: -

"upto and including Little Andaman except the area on the eastern coast of Little Andaman island located within the following co-ordinates

Landward side

- Longitude - between the longitude 92°28 minutes East and 92°35 minutes East.
- Latitude - between latitude 10°34 minutes North and 10°44 minutes 30 seconds North".

- ii) Notification No. 108/77/F.No. 15-222/76.JI dated 27.5.1977 (**Annexure-E**)
In the said Notification, under Amendment No I, the following entries shall be substituted for the existing entries against "latitude - between latitude 10°34 minutes North and 10°45 minutes 30 seconds North".

- iii) Notification No. 104/F. No. 1-582/91-TW dated 10.9.1991 (**Annexure-F**)
Seaward side

- For Onges tribe of Dugong Creek, Little Andaman:
The coastal sea extending upto 5 Km from the high water mark lying within the imaginary line commencing on the Eastern Coast of Little Andaman Island at the North Latitude of 10°45 minutes 30 seconds extending towards North and further North-West upto 92°25 minutes East Longitude.
- For Onges of South Bay & Nicobarese of Harminder Bay Little Andaman:
The coastal sea extending upto 5 Km from the high water lying within the imaginary line which commences on Eastern Coast of Little Andaman island at North latitude of 10°34 minutes extending towards South and further to South-west upto 10°35 minutes North latitude on the Western coast of West Bay of Little Andaman island.

Copy of map showing the tribal reserve, revenue villages and phase-1 project area is enclosed as **Annexure-G**.

5) WELFARE MEASURES FOR THE WELLBEING OF TRIBE

A registered society fully funded by the Govt. namely Andaman Adim Janjati Vikas Samiti (AAJVS), with the Hon'ble Lt. Governor as the President of its General Body, and the Chief Secretary as the Chairman of its Executive Council, oversee and monitor the implementation of various welfare programmes and policies of the Administration and the Central Government in regard to the PVTGs. Housing, health, Middle School, free Power Supply, treated piped drinking water through RO plant, Medical Sub-centre and free ration are provided at Dugong Creek, along with a playground and cemetery. 14 Onges have been employed in Govt Jobs (Police, Forest,

AAJVS, and Health etc). Further, an Onge Multipurpose Coop. Society has been formed and the coconut plantation is being managed by the OMPCS. Two Copra Drying Units are being set up for value addition of coconuts. Six new houses for the Onges are under construction.

6) LAND REQUIREMENT FOR PHASE - 1

- (i) Under Phase-1, the total development area required is 104.6 Sq Km including 7.733 Sq Km falling in tribal reserved area.
- (ii) Part area of three revenue villages namely Vivekanandapur (0.268 Sq Km), Ramakrishnapur (0.880 Sq Km) and Hutbay (0.148 Sqkm) is overlapping with tribal reserve which is required to be de-notified from tribal reserve even otherwise.
- (iii) The remaining tribal reserved area i.e. 6.437 Sqkms (7.733 - 0.268 - 0.880 - 0.148) is required to be de-notified from tribal reserve.

7) ANALYSIS

- (i) Section 3 of the PAT Regulation empowers the Lieutenant Governor, A&N Islands to declare or alter any area as tribal reserved area. Such area needs to be predominantly inhabited by aboriginal tribes.
- (ii) The revenue area overlapping the tribal reserved area is measuring 1.296 Sqkm (0.268+0.880+0.148) which is required to be de-notified from tribal reserve even otherwise as revenue land has been allotted to the settlers.
- (iii) The remaining tribal reserve falling in Phase-1 measures 6.437 Sqkm which is not contiguous to the tribal reserved area and is also far off from Dugong Creek (Onge settlement) and is not being used by them.

In view of the above, the tribal area falling in Phase-1 can be considered for de-notification as the same is not predominantly inhabited by aboriginal tribes.

8) PROPOSAL

- (i) 7.733 Sqkm of tribal reserved area required for development projects of Phase-1 may be de-notified from tribal reserved area with the approval of Hon'ble Lt Governor as per the provisions of Section 3 of A&N (PAT) Regulation, 1956. This area includes 1.296 SqKms of revenue area,
- (ii) In lieu of the proposed tribal reserved area to be de-notified, equal area can be considered for re-notification as tribal reserved area from the land de-notified in the year 1972 on the eastern coast of Little Andaman island in the interest of Onge (PVTG).