

(92) It is informed by RO (TW) that the Secretary (TW), A & N Administration has desired to submit a note on the issues pending with the Ministry of Home Affairs, Govt. of India as the same is to be placed to the Hon'ble Home Minister of India on his visit to these Islands.

(93) The following issues are discussed as under :-

1. Island Tribal Council on the pattern of autonomous district Tribal Council of Tripura.

The whole of Nicobars district is inhabited by the tribals predominantly and it is declared as reserved area under A & N Islands (Protection of Aboriginal Tribes) Regulation - 1956. Entry of non-tribals into the reserved area is prohibited under the provision of the above regulation. The tribal area is excluded from the Panchayati Raj System. However, the Nicobarese tribals, which is the largest tribal group, have formed their traditional Panchayats i.e. Tribal Councils at village level and Island level for day to day administration. The Tribal Council is composed of the representatives of the tribals elected by the tribals, but the administration is not involved in any way in the formation of Tribal Council.

(94) At the instance of the Govt. of India, there was a proposal to formalize the existing Tribal Councils so as to involve them in their administrative development. In view of that a draft Tribal Council Regulation on pattern of the Panchayati Raj System applicable to the non-tribal area was formulated in 1995 and the views of the Tribal Council were invited, but they backed out. Therefore the proposal was shelved.

(95) As reported by Deputy Commissioner (Nicobars) another draft Tribal Council Regulation on the pattern of autonomous district Tribal Council of Tripura was formulated and referred to the Tribal Council, Car Nicobar to ascertain their views. Perhaps the Tribal Council is yet to come up with their opinion on the Draft Tribal Council Regulation.

2. Amendment of A & N Islands (Protection of Aboriginal Tribes) Regulation, 1956.

(96) The existing penal provision of section-8 provides for punishment, which may extend to one year or with fine which may extend to Rs. 1000/- or with both for contravention of provisions of the section 6 of the Regulation. The text of section-8 of the Regulation is reproduced below :-