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S NO. 54(R) - P. 155-158/c

(135)

PUC is a letter dated 18.10.2001 from Samir Acharya, INTACH, Port Blair forwarding a copy of the provisions of the Panchayats (Extension to Scheduled areas) Act 1996.

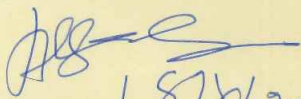
(136)

There is a separate law viz- the A & N Islands (PAT) Regulation, 1956 promulgated by the President of India to provide for protection of the interests of the Aboriginal Tribes in the A & N Islands. Under section 3 of the Regulation the Administrator is competent to declare any area, which is predominantly inhabited by the tribals to be reserved area. Accordingly the areas inhabited by the tribals have been declared as reserved. vide Admn's Notification No. AN PATR/3(1)/1 dated 2.4.1957 as subsequently amended from time to time.

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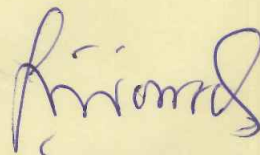
As provided under section 3 of the Act, the provisions of part IX of the constitution relating to Panchayats are extended to the scheduled areas. The tribal areas in this UT are declared as the reserved area under the PAT Regulation while the Scheduled area is to be declared under Vth Schedule part 'C' of Article 244 of the constitution. Unless the tribal areas (reserved areas) of this UT are declared as Scheduled areas, the Act may not perhaps be applicable. However, the opinion of the law deptt. may be invited whether the reserved area designated under PAT Regulation and the Scheduled areas under the constitution is one and the same or we have to go for declaring the reserved area as scheduled area.

Submitted please.

  
18/10/2001  
Research Officer (TW)  
(CF No. T2-2058)

Director (TW)

We may seek the advice of  
Judicial Secretary.



18.10.2001  
S. A. AWARADI  
DIRECTOR (TW)

Secy (TW)

Jud. Sec

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