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F. No. 1-939/2012-TW

(106)

This is regarding sending a team with the representatives of all the Tribal Councils to the Autonomous District Council in the North-Eastern States to have better understanding of the concept of the sixth schedule.

(107)

The provisions of Sixth schedule is provided in the Constitution under Article 244(2) and 275(1). It is applicable in the tribal area as scheduled in Part I, II, IIA and Part III in the states of Assam, Meghalaya, Tripura and Mizoram. This schedule provides two kinds of governing units in the part of the Tribal Areas: the Autonomous District Councils and the Autonomous Regional Council.

(108)

The Nicobari tribes demand for Autonomous District Councils on the pattern of the States of North Eastern Region of the Country under the Sixth Schedule of the Constitution. The issue was taken up with the Govt of India and it was also discussed in the 12th IDA meeting held on 19th January, 2009 under the Chairmanship of Hon'ble Prime Minister of India. The issue was not agreed to by the MHA in view of the sensitive strategic location of the islands.

(109)

It is submitted that this Administration has requested the Govt of India to consider exemption from payment of Income tax under section 10 of the Income Tax Act, 1961 to Scheduled Tribes of the Union Territory of A&N Islands. Now the matter is under consideration with the Ministry of Home Affairs. The major disparity exists because the tribal area of this UT has not been included under sixth schedule of the constitution.

(110)

In order to protect the social and cultural identity of the tribal community and also meet the aspirations of the younger generation of the indigenous community, the Hon'ble Lt. Governor, A&N islands has also raised the issue in the Conference of Governors held at Rastrapathi Bhawan to consider the demand of the Nicobari tribal community for inclusion in the Sixth Schedule favorably. (Speech of H'LG

is placed below)

Lt in Dec 2013