

F. No. 1-939/2012-TW

(99) 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

(100) The Hon'ble Lt, Governor, A&N Islands has spoken to Secretary (TW) on 6.2.2014 on the issue and approved the Note on inclusion of Nicobar tribes in Sixth Schedule to the Constitution (**Flag-X**) and directed to "put up on file".

(101) The Nicobari tribes of this UT, which predominantly inhabits the Nicobar District, is the largest tribal group with a total population of 28,000 as per 2011 census. The entire Nicobar District has been notified as reserve area (tribal reserve area) under the A&N Islands (Protection of Aboriginal Tribes) Regulation, 1956 except area in Great Nicobar de-reserved for ex-servicemen settlements and some area for rubber plantation in Katchal island. Accordingly, there is 8% reservation in Group C posts in the services of the A&N Administration.

(102) No scheduled area has been notified in the A&N islands under either schedule V or Schedule VI of the constitution. However, the Nicobari tribe has seven traditional Tribal Advisory Councils in the Nicobar District, whose members are elected from amongst the community. The members of the Tribal Councils are consulted by the Administration while formulating schemes/ programmes for the welfare of the tribes. The representatives of the tribal councils are included as members of the District Planning Committee for the Nicobar District.

(103) An earlier demand from the Nicobari tribe to grant sixth schedule status to the Nicobar District was not agreed to by the Ministry of Home Affairs in view of the sensitive strategic location of the islands. However for better governance, the President promulgated the "Andaman Nicobar Islands (Tribal Councils) Regulation, 2009". Under this Regulation, a draft Rule titled "Andaman & Nicobar Islands (Tribal Councils) (Preparation of Electoral Rolls and Conduct of Election) Rules" has been prepared and circulated among the Tribal community in the Tribal District of Nicobar. However, some of the tribal councils have expressed their