

OFFICE OF THE CHAIRMAN
TRIBAL COUNCIL
 CHUKCHUCHA
CAR NICOBAR – 744 301
 (ANDAMAN & NICOBAR ISLANDS)

Ref. No. 1-1/Gen/TC-CN/2007-08/263.

Date 10th March 2008.

To

The Chief Secretary,
 Andaman and Nicobar Administration,
 Secretariat,
 Port Blair.

Dr HW
Accd
Ro Cs
7/12/4

Sub: **To promulgate the Andaman and Nicobar Islands (Tribal Council)
 Regulation, under article 240 of the Constitution – reg.**

Sir,

With reference to the subject cited above dated 7th Sept. 2007 and 31st Oct. 2007 received from the Government of India, Ministry of Home Affairs, we the undersigned offer our comments on the observation of the Department of Legal Affairs.

After carefully examining the content of the observation of the Department of Legal Affairs, we would like to explain our traditional and customs laws in regard to our way of ministering justice within our own community.

1. Our Village Council has a system of settling minor disputes within the village council itself.
2. It has also a system of settling dispute between one village and other village.
3. The Tribal Council has also adopted a system of settling disputes when both the involved villagers are not able to dissolve the disputes amongst themselves.

Any dispute or case, which are not within the ambit of Tribal Council, shall automatically be submitted to the court of law, which shall take cognizance of such cases.

In this context the drafter of the Draft Regulation opined that the elected body may be vested with judicial powers of minor in nature.

However, in view of the supremacy of the Indian Constitution over ^{all} other rules and regulation, such bill, which contravenes the provisions of the constitution, cannot be passed.

Therefore Chapter VII, Chapter VIII and Chapter IX of the Draft Regulation [The Andaman and Nicobar Islands (Tribal Council Regulation 2006)] (No. 1 of 2006) may, if competent legal authority so desired be removed if it is found redundant or contravening the provision enshrined in the Constitution of India.

Therefore the Tribal Council here under makes an attempt to draw and pass a resolution which is directly related with observation / objection raised by the Department of Legal Affairs

"We the undersigned solemnly resolved to accept deletion / removal of Chapter VII, Chapter VIII and Chapter IX of the Draft Regulation having fully convinced that it is redundant to the provision enshrined in the Law of the land i.e. Indian Constitution"

A-Cephias Jack
 Deputy Vice Chairman
 Tribal Council
 Car Nicobar

Shankar
 Vice Chairman
 Tribal Council
 Car Nicobar

Shankar
 Chairman
 Tribal Council
 Car Nicobar

✓ Copy to the Deputy Commissioner (N), C/N – for favour of kind information please.

Shankar