

- (b) Not repeating in the Third Schedule the same subjects of the Second Schedule, as further explained in comment No.4(x) of this Office Memorandum.
- (ii) The preamble of the Regulation should highlight that it is a Regulation to promote greater autonomy and self determination among the Nicobarese Scheduled Tribes in managing their affairs through the establishment of self-governing institutions.
- (iii) In Chapter (I) para 1(2) and 2 (g) the following phrase should be added: "excluding the Shom Pen settlements".
- (iv) Chapter (I) Para 2(w): we could not find any reference to "Tuher" in the rest of the regulation though defined. Hence this may be deleted.
- (v) Chapter (II), Para 4(2) should be redrafted in order to make it easier to administer. For instance, it can be stated that anyone who has been residing in a village for more than one generation (25 years) and owns either a piece of land or a house for this entire period shall be deemed to be an ordinary resident.
- (vi) Chapter 2 Para 9 (2) The officially notified word is "Nicobarese". The word "Nicobari" may be substituted accordingly.
- (vii) If we agree to the suggested Preamble of the draft Regulation, then all aspects of supervision, guidance and control of the functions of the Village Councils (VC) as well as its members should first rest with the Island Council (IC). The Island Councils must first have a chance to supervise, guide and rectify actions of Village Councils in the interest of the Nicobarese. Only if, within a time to be stipulated (may be three months), the Island Council fails to exercise these supervisory and control functions, should the Deputy Commissioner, or the Assistant Commissioner with the expressed delegation of the Deputy Commissioner, exercise functions