

Sl. No.	Proposed provision for Tribal Council Regulation as on 31/03/2009	Proposed change by the Ministry of Panchayati Raj / Tribal Affairs / A&N Administration	Remarks / Justification of A&N Administration
1	2	3	4
1.	<p>35. (2) All markets and fairs or such portion thereof as are held upon public land shall be managed and regulated by the Village Council and the Village General Body shall receive to the credit of the Village Council Fund all dues levied or imposed in respect thereof.</p> <p>The Second Schedule 2(e) control of fairs, bazaars and car parks; 2(j) establishment and maintenance of markets; 10(c) managing village markets by whatever named called;</p>	<p>Ministry of Tribal Affairs 4. (i)(a) Not repeating some of the items in the body of the draft as well as in the Second Schedule (for example Regulation 35(2) need not be repeated in para 2(e),2(j), 10(c) of the Second Schedule); and 4. (i)(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.</p>	<p>The provision has been kept both in the body of the Tribal Council Regulation as well as in the Schedules, so as to reinforce its importance. Besides, the purpose is different in the Regulation and in the schedule. The regulation specifies the powers of the Administrator and the Schedule specifies the items that have been delegated to the Tribal Council. Including it at both places reinforces its importance and also highlights the authority and the functions of the Tribal Councils. It is therefore proposed to be retained.</p>
2.	<p>A Regulation to provide for Tribal Councils in the Nicobar District of the Union Territory of Andaman and Nicobar Islands and for matters connected therewith</p> <p>In exercise of the powers conferred by clause (l) of article 240 of the Constitution of India, the President is pleased to promulgate the following Regulation made by her: -</p>	<p>4 (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.</p>	<p>The preamble to draft Tribal Council Regulation 2009 has been modified, to read as :</p> <p>“A Regulation to establish Tribal Councils in the Nicobar District of the Union Territory of Andaman and Nicobar Islands to provide greater autonomy for the Nicobari Scheduled Tribes in managing their affairs and for matters connected therewith”.</p>