

	<p>A Regulation to provide for Tribal Councils in the Nicobar District of the Union Territory of Andaman and Nicobar Islands to promote greater autonomy and self determination among the Nicobarese Scheduled Tribes in managing their affairs through the establishment of self governing institutions 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 (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 mentioned in Chapter (VI) of the Regulation. Otherwise this lateral involvement of the UT Administration can be construed as interference Emergency powers in the case of natural calamities or epidemics can, however, be with the Deputy Commissioner who can exercise these irrespective of the involvement of the village councils / Island Council.</p>	<p>It is the view of the A&N Administration that it may not be appropriate to place one elected body under the supervision, guidance and control of another elected body. Hence it does not concur with this suggestion. Some executive authority must continue to remain with Deputy Commissioner and Assistant Commissioner, and the powers conferred on them under chapter VI are reasonable.</p>
	<p>Chapter IV</p> <p>29. The Administrator may entrust to the Village Council the execution, maintenance or repair of any work or the management of any institution on behalf of the Government or any local authority;</p> <p>Provided that the necessary funds for such purpose shall be placed at the disposal of the Village Council by the Government or such local authority.</p>	<p>4 (viii) Experience shows that the Panchayati Raj Institutions have very often failed to deliver because funds have not been transferred with the transfer of functions and functionaries. For instance when the Second Schedule prescribes in para 7 many agricultural and forest related activities, the funds for the same activities should be transferred from the line departments to the Village Councils / Island Councils. Revenue from local taxation will never be enough even to meet administrative and staff expenses, including those of the Secretary (VC)</p>	<p>The intent of the Administration has been spelt out clearly in section 29. No further change is considered necessary.</p>