

		feasible for the Dy. Commissioner of District of Nicobar to exercise any kind of authority in an area that is outside his jurisdiction. Hence, formulation as proposed by MHA that the Regulations extend to the District of Nicobar appears to be more logical.	South Andaman District. So if the Panchayati Regulations of South Andaman District can operate in a small corner of Great Nicobar Island, it should be equally possible for the Tribal Council regulations to operate in a small corner of the Little Andaman Island.
2	<p><b>Chapter II</b>  <b>4 (1)</b> Provided that a Nicobari Tribal shall be disqualified from being member of the General Body if he is-</p> <p>(a) not a citizen of India;  (b) is less than eighteen years of age;  (c) of unsound mind and stands so declared by competent court; and  (d) not ordinarily a resident within the village for which the Village General Body is constituted.</p>	In Chapter II Regulation 4 (1), it has been stated that a Village General Body shall consist of persons registered in the electoral rolls relating to that village or group of villages comprised within the area of a Village Council. The A&N Islands Administration has proposed however that a Village General Body shall consist of Nicobari tribals registered in the electoral roll relating to the village or group of villages comprised within the area of a Village Council. This would imply that if any non-Nicobari tribals are living in a village in District Nicobar, such persons would not be included in the electoral roll and would not be eligible to vote in the elections to the Village Council and the Island Council. This is a retrograde provision as it impacts the fundamentals right of representation that is available to all Indian citizens. If, the rights of the tribals are to be protected, at best a provision can made on the line of Panchayats (Extension to the Scheduled Areas) Act, 1996 that the Captain of the Village Council and at least 50% of the members of the Village Council shall be Nicobari tribals.	This matter has been examined. The non-tribal population in Nicobar District is approximately 1600, most of them Govt. servants, and the others either Sri Lankan settlers or encroachers. The Govt. servants are posted in Nicobar District for a fixed tenure. They are covered either under the Panchayat Regulation of South Andaman / N & M Andaman districts, or the Municipal Regulation. The Sri Lankan settlers are proposed to be relocated out of the tribal areas. The encroachers have settled illegally in this district and due process of eviction is under consideration of the A & N Administration.