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Dated: 15th June, 2009.

Dear Smt. Bhamathi,

Please refer to your D.O. letter No. 11023/2/2006-UTL dated 30.4.009 and your telephonic requests for comments of Ministry of Panchayati Raj on the provisions under draft Regulation vetted by MHA titled "The Andaman and Nicobar Islands (Tribal Councils) Regulation, 2008" and the provisions proposed by the A&N Administration.

The Ministry of Panchayati Raj has gone through the latest draft of the Regulation sent vide Letter No.U-11023/2/2006-UTL dated 27.5.2009 and our views are as under:

- (i) The A&N Administration has proposed that the Regulation will extend to the District of Nicobar and also the Nicobarese settlement areas in the UT of A&N Islands except the areas to which the A&N Islands (Panchayat) Regulation, 1994 extends. This appears to be a somewhat odd arrangement. The Dy. Commissioner of District Nicobar has an important role under these Regulations and if the Nicobarese settlement areas that are outside the District of Nicobar are covered by these Regulations a patch work situation regarding applicability of these Regulations will be created. It does not appear feasible for the Dy. Commissioner of District 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.

- (ii) 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 Island 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-

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