

F.No. 1-8/DCN/Tribal Regulation/2008/ 445
अण्डमान तथा निकोबार प्रशासन
ANDAMAN AND NICOBAR ADMINISTRATION
उपायुक्त का कार्यालय
OFFICE OF THE DEPUTY COMMISSIONER
निकोबार जिला / NICOBAR DISTRICT

Car Nicobar dated the 16th June, 2009

To

The Secretary (Tribal Welfare)
A & N Administration
Port Blair.

Sub: Andaman & Nicobar Islands (Tribal Councils) Regulation, 2008 - reg.

Madam,

Kindly refer Letter No. U-11023/2/06-UTL dated 16th June 2009, received from Under Secretary to the Govt. of India and the telephonic discussion held between Deputy Commissioner (Nicobar) and you on 16/06/2009 where in you have requested the Deputy Commissioner (Nicobar) to prepare views/comments on the cited letter. In this regard, I am directed to forward views and comments of District Administration in relation to Andaman & Nicobar Islands (Tribal Councils) Regulation, 2008, on the points raised by Ministry of Panchayati Raj.

Point Wise Comments and Views:-

- i. There is only one Nicobari Settlement, Harminder Bay, (District South Andaman) that comes outside of Nicobar District. There are about 400 families who have been migrated from Nicobar District and settled in Harminder Bay. For all purposes these families are well settled in Harminder Bay. These Tribal families are not covered under the Andaman and Nicobar Islands (Panchayat) Regulation, 1994 which is applicable only in Revenue areas. In compliance to 73rd amendment act it would not be democratically correct if these families are not given democratic rights either under Andaman and Nicobar Islands (Panchayat) Regulation 1994 or under draft Andaman and Nicobar (Tribal Council) Regulation, 2008. Hence these Nicobari Tribal families are proposed under Draft Regulation.

It would not cause any difficulty for District Administration (Nicobars) for exercising any kind of democratic authority under draft Andaman and Nicobar (Tribal Council) Regulation 2008 for Nicobari tribal of Harminder Bay as: (1) There will not be a separate Island Council for Harminder Bay and for all purposes only village council will be constituted for Harminder Bay. This will function as a village council under the Car Nicobar Island Council. (2) Great Nicobar / Campbell Bay is the single revenue area in the Nicobar District which comes under the Zilla Parishad of South Andaman District, (under the Andaman and Nicobar Islands (Panchayat) Regulation 1994) and is well functioning, hence