

F.No. 1-849//2007-TW(PF)

Ref: Assistant Secretary (Law)'s minutes at para 37/n.

It is submitted that the draft regulation namely Andaman & Nicobar Islands (Tribal Council) Regulation was vetted by the Law department and the same was forwarded to the Ministry of Home Affairs. The above matter has been dealt in the Linked File 1-849/2004-TW at note pages 21 to 25/n and pages 142-A to 220/c. The linked file No. 1-849/2004-TW is placed below file No. 1-849/2007-TW (PF).

As desired, we may refer the file to the Legal Section for further necessary action.

Research Officer (J)  
(CF:T6 Kajal Mise)

Assistant Commissioner (TW)

Director (TW)/Spl. Secretary (TW)

Assistant Secretary (Law)

The draft Regulation namely Andaman & Nicobar Islands (Tribal Council) Regulations 2006 was forwarded to the Ministry of Home Affairs by the concerned Department vide letter No. 1-849/2004/EW/03 dated 4.4.2007 for obtaining the approval of competent authority for promulgation.

But, Ministry of Home Affairs vide letter No. U-11023/2/06-UTL dated 7.09.2007 has informed that the matter was taken up with the Ministry of Law and it has been observed that Judicial Power cannot be given/exercised by the executive of any elected body. Accordingly, Ministry has advised to delete chapter 7, 8 & 9 of the said draft Regulation by incorporating alternate provisions in this respect.

In view of the matter, department concerned may re-draft the said regulation in terms of the suggestion received from the Ministry and to submit the same to this Law Department for its vetting / examinations.

Submitted please.

A.S (Law)

Secretary (Law)

Director (TW)/Special Secretary (TW)

Hasn't this been done?

Act (TW)

सचिव का निजी अनुदान ( )  
Personnel Section of Secretary (Law)  
म. अ. स. / R.D. No. 15  
दिनांक / Date... 11.10.07

1885/212/7.4  
27/9/07

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1940/Ann. Cms  
6/10/07