

In view of the position explained above and the resolution passed by the Tribal Council, Car Nicobar for removal of Chapter -7,8 and 9 from the draft Regulation forwarded by the Deputy Commissioner (Nicobar), it is proposed that Chapter-7, Chapter-8 and Chapter-9 relating to empowering the Village Judicial Council with judicial powers may be removed/deleted from the draft Tribal Council Regulations. However, the DC(N) has not given his comments on the above issues.

Submitted for perusal and approval please.

[Signature]
Research Officer(J)
(T6-Tribal Council)

Assistant Commissioner(TW)

Director (TW)/Spl. Secretary(TW)

Chief Secretary

The case has been examined thoroughly by me. We have been dealing the matter under Sixth Schedule which is covered under Article 242 (2) and 275(2) so far, whereas it is covered under Fifth Schedule which is covered under Article 244(1) of the Constitution of India having the provision for administration and control of the Scheduled Areas and Scheduled Tribes in any states other than the States of Assam, Meghalaya, Tripura and Mizoram (covered under Sixth Schedule).

Further the resolution passed by Tribal Council, Car Nicobar foregoing the provisions of judicial powers proposed to the Tribal Council as referred at para 68/N cannot be construed as the unanimous resolution of the entire Nicobar District as there are other six Tribal Councils from which such resolution has not been received.

Moreover the Deputy Commissioner, Nicobars has not yet furnished his explicit comments as repeatedly called for from him.

Director / Secretary(TW) Assistant Commissioner (TW)

Chief Secretary

[Signature]
24/3/08

[Signature]
19/3/08

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We may agree with the resolution passed by the Tribal Councils. Since DC (Car Nicobar) has forwarded the resolution, we may conclude that as his consent much other will also is not mandatory. May kindly approve before forwarding this to MHA. *[Signature]* 19/3/08

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मुख्य सचिव का कार्यालय
29/3/08
24/3/08
मुख्य सचिव

[Handwritten signatures and marks]