

Subject:

- 9 -

Para
No.F.No. 1-836/2004-TW

(25)

May please peruse notes above from para 13/N. It is regarding civil works in the tribal areas in Nicobar District. Following the discussions in the meeting chaired by then C.S, the D.C(A) has issued minutes (page 20-22/C) indicating the various measures to control the influx of non-tribals into the tribal areas. One of the measures suggested is that Contractors while executing their awarded works are required to deposit Rs. 5000/- per head per non-tribal labour with the D.C(N) for ensuring their repatriation from the Nicobar District on the completion of the awarded works.

(26)

Now the Administration has taken a decision with the approval of the Lt. Governor (notes from para 13/N - 17/N) to the effect that the contractors shall give an Undertaking to the APWD i.e. the Govt. agency to the effect that they will repatriate the non-tribal labours out of the tribal area on the completion of the works, final payment will be made to the contractors only on receipt of no objection letter from the D.C(N) conforming the repatriation of non-tribal labours.

(27)

It is also been decided (vide para 15/N above) that the registered contractors executing the works in the tribal areas need not take trade / business license under PAT Regulation. In the above context, it may be mentioned that PAT Regulation promulgated by President stipulates under Section 6 that no non-tribal can carry on trade / business except under a license with specific terms and conditions issued by the Chief Commissioner (now Lt. Governor). The Rules framed under the above said Regulation specify what constitutes trade / business.

(28)

Rule 2 of A&N Islands (Protection of Aboriginal Tribes) Rules, 1957 amended in 1960 define by way of enlisting certain items / activities as "Miscellaneous Trade". The works relating to APWD, IAF contract are listed at Sl. No.1 under Rule 2 (g) vide page 18/C.

(29)

As such in the context of the review decision taken by the Administration indicated above the Rule 2 needs to be amended by deleting the entries at Sl. No.1 under Rule 2(g). Accordingly, draft amendment (DFA-I) is placed opposite for perusal and approval.