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Nicobarese Self-Governance vs Formal Elections — the Tuhet Question

18 June 2026 ·

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CURATED & WRITTEN BY

**Bharat Choudhary**

UPSC Educator & Content Creator

[linkedin.com/in/epicbharat](https://www.linkedin.com/in/epicbharat)

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Nicobarese Self-Governance vs Formal Elections — the Tuhet Question

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WHY IN NEWS

The Nicobarese Tribal Councils have opposed the Andaman and Nicobar Islands Tribal Councils (Electoral Rolls and Conduct of Elections) Rules 2026, which were notified in May 2026 with an objection deadline of June 15, 2026. The Rules prescribe five-yearly polls but ignore the traditional Tuhet, the clan or joint-family consensus form of governance.

The dispute pits a statutory (<https://ujjyari.com/vocab/statutory/>), ballot-based template of local democracy against a customary system of indigenous self-rule, raising the question of which form of legitimacy should govern a Scheduled Tribe.

WHO ARE THE NICOBARESE

The Nicobarese are the largest indigenous community of the Nicobar group of islands and are recognised as a Scheduled Tribe. The Andaman and Nicobar Islands are a Union Territory, administered directly by the Centre through a Lieutenant Governor. Unlike the particularly vulnerable tribal groups of the Andamans, the Nicobarese have historically engaged with the wider economy while retaining a distinctive social structure built around the Tuhet.

The Tuhet system

A Tuhet is a Nicobarese joint family or clan that holds property in common and governs itself by consensus rather than by individual voting. Captains of Tuhets, and above them village and tribal captains, take decisions collectively. Authority flows from kinship, custom and consensus, not from a periodic individual ballot. This system survived colonial rule and was reinforced after the 2004 tsunami, when Tribal Councils coordinated relief and rehabilitation (<https://ujjyari.com/vocab/rehabilitation/>).

WHAT THE NEW RULES DO

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FEATURE	TUHET TRADITION	RULES 2026
Basis of authority	Clan and consensus	Individual electoral roll
Selection method	Customary, by Tuhet captains	Five-yearly elections
Unit of representation	Joint family or clan	Individual voter
Consultation	Inherent in the community	Councils say none was held

The Rules 2026 introduce electoral rolls and prescribe elections every five years for the Tribal Councils. The seven Tribal Councils argue that the framework was drafted without consulting them, that it imposes an alien individual-ballot model on a consensus-based society, and that it would erode the Tuhet structure that anchors Nicobarese social and economic life.

CONSTITUTIONAL AND LEGAL CONTEXT

Tribal self-governance in India is protected through several instruments. The Fifth and Sixth Schedules deal with the administration of Scheduled Areas and tribal areas, though they apply to specified states. The Provisions of the Panchayats (Extension to Scheduled Areas) Act, PESA, 1996, recognises the gram sabha and customary practices in Scheduled Areas. The spirit running through these provisions is that tribal communities should govern according to their own customs and be consulted on matters affecting them. The Nicobarese objection rests on this principle of prior consultation and respect for customary law.

ANALYSIS

The clash is between two ideas of democratic legitimacy. The statutory model values the uniformity, individual franchise and periodicity of elections. The customary model values consensus, kinship and continuity. Imposing the former without consultation risks hollowing out the very institution it claims to democratise. There is also a practical risk: an externally designed electoral process may fracture clan consensus, introduce factional contests where none existed, and weaken the Councils' proven capacity to act collectively, as they did after the tsunami.

WAY FORWARD

The administration should treat the objection deadline as the start of a genuine dialogue rather than the end of a formality. Any electoral framework should be co-designed with the seven Tribal Councils, allowing customary consensus selection to coexist with or be recognised by the statute. A hybrid model that gives legal

recognition to Tuhet-based representation, while ensuring inclusion and accountability, would honour both indigenous self-governance and the rule of law. Free, prior and informed consultation should be the default for any rule affecting a Scheduled Tribe.

UPSC RELEVANCE

For GS Paper 1, this illustrates the social structure of an indigenous community and the tension between modernisation and tradition. For GS Paper 2, it connects to tribal rights, mechanisms of self-governance, the consultation principle, and the administration of Union Territories. Examiners may ask how customary law can be reconciled with statutory democracy, and how the consultation principle applies to Scheduled Tribes.

FACTS CORNER

★ FACTS CORNER — KNOWLEDGEPEDIA

Community: Nicobarese, the largest indigenous group of the Nicobar islands, a Scheduled Tribe.

Tuhet: A clan or joint-family unit governing by consensus, not individual ballot.

Rules: A&N Islands Tribal Councils (Electoral Rolls and Conduct of Elections) Rules 2026, notified May 2026.

Objection deadline: June 15, 2026.

Core grievance: Five-yearly polls imposed without consulting the seven Tribal Councils.

Status of A&N: Union Territory under a Lieutenant Governor.

Sources: *The Hindu* (<https://www.thehindu.com>), *Indian Express* (<https://indianexpress.com>)

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Bharat Choudhary

UPSC Educator & Content Creator

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