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PERMISSION SOUGHT UNDER 1956 REGULATIONS

With a view to complete my research, which thus began in 1953, I sought permission u/s 7 of the 1956 Regulations by making a formal application to the competent authority who is the Dy. Commissioner by filling up the elaborate requisite form on 8.11.2006 giving details of past and present status with attested copies of testimonials for verification of the bona fide of the purpose of visit to Dugong Creek and South Bay Tribal settlements in every possible manner.

PERMISSION DENIED

I have been conveyed inability of the Dy. Commissioner's Office vide F. No. /5-5/LS - 2006/ XXX/ 1268 dated 15th February 2007 that owing to non-availability of recommendation of Tribal Welfare Department I cannot be granted the permission sought for by me.

GRIEVANCE

I am aggrieved at this letter of denial dated 15.2.2007 making it a condition-precedent for such permission a recommendation of the Tribal Welfare Department of the Administration without disclosing on what grounds such recommendations could be denied /withheld. The unguided power to the Tribal Welfare Secretary of Andaman Administration is arbitrary, unlawful providing scope for exercising personal idiosyncrasy of the incumbent for the time being holding charge of the Secretariat.

GROUNDS FOR APPEAL

I may now submit the grounds on which I make this demand for justice:

I. For that the no reason has been shown for withholding/ denying my application for the requisite permit by the Department of Tribal Welfare.

II. For that I am a citizen of India and a presumption is in favor of my right to visit unless there can be an adverse classification is made against me.

III. For that the discretion that lies with the Dy. Commissioner had not been exercised by him for which he was duty bound to exercise and in stead, taking the subterfuge of non-receipt of recommendation from some other officer is beyond the scheme of Section 7 of the Regulations.