

was made in terms of the provisions of The Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 where as the Petitioner failed to peruse any such provisions in the said regulation.

Xerox copy of the said notification dated 30.10.2007 is annexed herewith and marked as Annexure "P-5"

9. That the notification dated 30.10.2007 is ultra vires and unconstitutional as much as the same interferes with the trade /business of the Petitioner which is guaranteed under the provisions of the constitution.
10. That the Petitioner states that the Lt Governor is not empowered to issue such notification as per sub section (1) of section 3 of The Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956. Sub section (1) of section 3 The Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 postulates declaration of reserved area by the chief commissioner and not declaration of "Buffer Zone". The concept of "Buffer Zone" was arrived at by the authorities at the instance few interested persons.
11. That the Petitioner states that the notification so stated has not been published any where. The Respondent authorities especially the Respondent no.1 did not even bother to invite