

14. That the area in question is not predominantly inhabited by the aboriginal tribes. The area is populated by Bengali settlers and that is why the area was not declared reserved by the Lt Governor earlier under Sub section (1) of section 3 The Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956.
15. That the notification was issued only for the Petitioner here in which is evident from the fact the order dated 6.11.2007 has been issued only to the Petitioner. It cannot be denied that the area is populated and number of commercial concerns is established and hence under such circumstances it is obvious that several persons would be affected by the said order. However the order has been issued only to the Petitioner.
16. That the order dated 6.11.2007 is also bad for the reason that the same has been issued by the Tehsildar who is not authorized by the Respondent No.1 as per The Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 to implement the notification.
17. That the Respondent authorities have forgotten the basic idea behind that enactment of The Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 and they have started using the same for some vested interest which is highly deprecated. The Petitioner approached the Respondent