

Copy of the Notification dated 30/10/2007 and order dated 06/11/2007 is enclosed herewith for kind perusal of this Hon'ble Court and marked as **Annexure: P- 2** 'collectively'

- 3) That it is submitted that the notification dated 30/10/2007 issued by the Lt. Governor, A & N Islands is valid, legal and said notification cannot be challenged.
- 4) That it is further submitted that the Lt. Governor (Administrator) has been empowered under sub-section (1) of section (3) of Prevention of Aboriginal Tribes Regulation, 1956 to declare any part of this Islands as prohibited place for tourist/or commercial activities keeping in view the General Welfare, Status and Protection of the Aboriginal Tribes and such power of the Lt. Governor cannot be called in question by the Respondent herein without showing any malafide action on behalf of the respondent authorities.

The petitioners crave leave of this Hon'ble Court to refer to the provisions of Prevention of Aboriginal Tribes Regulation, 1956 at the time of hearing of the instant application.

- 5) That it is further submitted that the respondent herein did not move any representation ventilating the grievance before the authority before coming to the court and as such the writ application filed by the respondent herein was liable to be dismissed by the Ld. Single judge being premature and misconceived.