

permitted in a day. The convoy timing is maintained very strictly without any deviation or any consideration to anyone, the only exception given to Ambulance carrying serious referral patients to GB Pant Hospital from North & Middle Andaman Districts. The Administration has also brought stringent penal provisions in the Andaman & Nicobar Islands (Protection of Aboriginal Tribes) Regulation, by way of amendment, w.e.f. 9th July, 2012 against the violations in the tribal reserve area.

4. The existing convoy system on ATR passing through the Jarawa reserve to regulate vehicular traffic on ATR to avoid interaction of the outsiders with the Jarawa was a part of the submission before the Hon'ble Supreme Court by the Administration in SLP (C) 12125/2010. The three Judges Bench of Hon'ble Supreme Court vide their judgment dated 5.3.2013 expressed satisfaction on the submission made and issued directions for strict implementation of Protection of Aboriginal Tribes (PAT) Amendment Regulation, 2012 and also orders issued there under.

5. Be that as it may, a Public Interest Litigation was filed by Shri T.N Godavarman Thirumalpad in W.P (C) No. 202/1995 before Hon'ble Supreme Court to protect forests & ecology in the Country. In an Interlocutory Application (IA) related to A&N islands filed by NGOs, the Hon'ble Apex Court appointed a one man Commission and the said Commission chaired by Shri Shekhar Singh submitted 47 (forty seven) recommendations. One of the recommendations was to close down ATR passing through Jarawa Tribal Reserve. The Supreme Court directed MoEF and UT Administration to submit their comments on the report of Shri Shekhar Singh. The Apex Court passed 20 orders in the IA on 7th May, 2002 and accepted the recommendations made by the Commission.

6. The Court further directed MoEF & UT Administration to file an affidavit within three months giving details of action taken by them on each of such recommendations. Accordingly, in consultation with the Central Govt, the UT Administration filed an affidavit on 7th April, 2003, narrating the measures taken by the Administration in implementing the notified Jarawa Policy and particularly the convoy system being followed on the ATR regulating the traffic movement and seeking review of Hon'ble Court's view on ATR. The Apex Court has not so far taken up the matter for hearing.

7. Any violation on ATR may create an adverse impact and may lead to closure of ATR as this Administration has made a commitment to this effect in an affidavit filed before the Hon'ble Supreme Court in WP No. 12125 of 2010 as well as in WP (C) 202/1995. The IA filed in WP © 202/1995 before Hon'ble Supreme Court seeking review of the Court's view on ATR is still pending and therefore the matter of sub-judice. Any violation of the regulatory order issued by the Administration and duly upheld by the Hon'ble Supreme Court will have serious repercussions.

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4/11/2013

Director (TW)