

231  
affidavit along with the detailed plan of Reserved area as far as Buffer Zone indicating there in particular spots of settlement, if any, in the reserved area. For further consideration, the case is adjourned to 26.02.2013 till the next date, the petitioners may allow entry of the govt. officials and the person who are settled within the Reserved Area. The movement of the vehicles required for transportation of essential commodities meant for Jarawa tribe and other communities living in the reserved area may also be permitted. However, no private individual or tourists shall be allowed to pass through the road by using a vehicle or otherwise for going to the caves."

It may be mentioned that while complying with the directions issued by the Hon'ble Court, the Administration in its affidavit filed had made the following submission in regard to regulation of traffic on ATR, in response to the para above of the order dated 05.03.2013, which is reproduced as under:-

252  
***"The Administration has already implemented some of the recommendations namely, daily convoy frequency between Jirkatang to Middle Strait reduced from 8 to 4 w.e.f 25.09.2011 vide circular dated 13.09.2011 an officers of the rank of DIG of police has been designated as Nodal Officer to monitor day to day activities on ATR and strict vigil in the Jarawa Reserve"***

The three Judges Bench of the Hon'ble Supreme Court in their judgment dated 05.03.2013 had expressed their satisfaction on the submission so made above by the Administration in SLP No. 12125/2010 and disposed of the SLP with the direction that the Petitioners i.e., Administration, shall strictly comply with the amended Regulations and the orders issued for its implementation.

253  
As observed by the Hon'ble Lt. Governor at para 212/n, the matter had been examined by the Law Department from para 216-220/n wherein it had opined that as the issues raised by PRI members contained at para 207/n have since been accommodated in the orders/circulars issued by the Directorate of Tribal Welfare, there appears to be no reason to file any application before the Hon'ble Supreme Court for modification of the order dated 05.03.2013 in SLP (Civil) /No. 12125 of 2010 (The Lt. Governor, A&N Islands & Ors. - Vs - M/s Barefoot inns & Leisure Pvt. Ltd.) already disposed of by the Hon'ble three Judges Bench of Supreme Court accepting the revised Buffer Zone Notification dated 17.01.2013. The Law Department further opined that the Directorate of Tribal Welfare may consider to issue a fresh (compiled) circular regulating the traffic, on ATR including the movement of mortuary van, ambulance, shifting of patients, breakdown of vehicles etc, if found appropriate.

254  
While drafting the fresh circular it has been proposed that the officers and staff of the Department of Tribal Welfare, ANTRI, AAJVS as also of the officers of Department of Forest be allowed access through ATR beyond convoy timings on official duty in emergency for protection and welfare of the forests and the Jarawas only after making proper entry at the Police Check gates at the respective entry points.

255