

8. At the hearing before this Hon'ble Court on 3.12.2010, this Hon'ble Court was pleased to peruse the affidavit filed on behalf of the Petitioner. The Hon'ble Court directed that all commercial and tourist establishments in the buffer zone be closed down, and a statement be made by counsel for the Petitioner on the next date of hearing, certifying that this had been done.
9. The Petitioner herein seeks leave and liberty to place on record certain facts pertaining to the lay of the land in Andaman & Nicobar Islands, the areas occupied by the Jarawa Tribe, and the pockets of settlements that exist in the South Andaman, Baratang and Middle Andaman Islands – and the manner in which these settlers came to reside in these areas. The present affidavit also seeks to describe the kinds of establishments and activities that exist in the buffer zone as presently notified, and further puts forward the interpretation accorded to the words "commercial" and "tourist" as contained in the notification dated 30.10.2007.
10. The Andaman & Nicobar Islands is an archipelago (group of islands) of 572 islands, of which around 37 are inhabited islands. The main inhabited islands in Andaman Group are South Andaman (which includes Port Blair municipality), Middle Andaman, North Andaman, Baratang, Neil Island, Havelock Island and Little Andaman. Amongst these islands, North Andaman, Middle Andaman, Baratang and South Andaman are separated by very narrow creeks. The Andaman Trunk Road (which was constructed in the 1970s) starts at the southern point of South Andaman and goes through each of these islands up till a northern point in North Andaman Island. It has recently been declared as National Highway (NH-223) except the stretches that pass through the Jarawa Reserve. There is currently a bridge connecting Middle Andaman to North Andaman. However, for the other islands (i.e South Andaman – Baratang, and Baratang – Middle Andaman), connectivity is by vehicle ferries. South Andaman is the main populated island in the Andaman & Nicobar Islands, 60% of the population of A&N Islands resides in the southern part of the South Andaman Islands. In the Nicobar Group, which is separated from the Andaman Group by a broad ten degree channel, the main islands are Car Nicobar, Great Nicobar and Nancowry group of Islands. The Nicobar Group of Islands is almost exclusively a tribal reserve, and outsiders are not permitted entry. A map to depict the cluster of islands that constitute the Andaman and Nicobar Islands is annexed hereto as Annexure – 1.
11. During the British period, the settlements were confined mostly to South Andaman, around Port Blair. These settlements were "penal settlements", because those persons who had completed their conviction were allowed to settle in South Andaman, around Port Blair. There were forestry establishments in Middle and North Andaman. Post-independence, under the colonization scheme which was part of the settlement policy of Ministry of Rehabilitation, settlements were created in Middle and North Andaman between 1949 and 1961. During this period, 3280 families (majority of whom were from Bengal) were settled in these islands. Under the scheme, each of the families was given 4 hectares of land for livelihood (paddy cultivation, horticulture etc.) Apart from these 3280 families settled under the colonization scheme, there were 1250 families settled by Government of India under a rehabilitation scheme between

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