

fact that some of them cater almost exclusively to tourists and all are in much closer proximity to the Jarawa Reserve than the Respondent's resort, and despite the fact that the tourist travelling on the Andaman Trunk Road and reaching Nilambur is almost guaranteed Jarawa sightings and possible interaction on a daily basis. In contrast the Respondent's resort has been closed down where no contact between Jarawa and tourists has ever taken place.

13. At the time of commencement of the Respondent's operations in Andaman Islands, there were 10 locations identified and publicized by the Andaman Administration for tourism development. This included the Respondent's location at Colinpur as one of these 10 locations. Most communications and press releases from the Department of Information, Publicity and Tourism that were made at the time to attract investment in tourism to Andaman referred to these 10 locations. Subsequently, the list of 10 locations was changed to 36 locations identified for tourism, and this list also received approvals at various levels of the Central Government as well. The same list of 36 locations identified for tourism development is also included in the Tourism Policy of A&N Administration released in January 2010 and this list still includes the respondent's location at Colinpur. The Respondent's establishment is built on land the use of which had already been diverted from the Agricultural use to commercial / tourism purposes by the Petitioner in 2001 prior to the Respondent's acquisition of the property.

