

and Little Andaman Island. There are some tourist sites in Middle and North Andaman, but the tourists are not allowed to visit the Tribal Reserve Area (the ATR, on which tourists do travel, is not part of the Jarawa Reserve – although it passes through the reserve). Travel on the ATR through the Jarawa Reserve is strictly monitored by a police-accompanied convoy system, and vehicles are not permitted to stop anywhere in the reserve. From 2002 onwards, after the closure of major plywood factories and saw mills, nature based tourism activities were promoted by the Andaman Administration to showcase the natural wealth of these islands. These include the limestone caves and mud volcano in Baratang Island, which are now part of the buffer zone as notified in 2007. These sites have restricted entry during the day time, and there is no permanent tourist facility or establishment set up near these locations, as they are in the reserve forest area. Approximately an on average 200 vehicles, such as LMVs, Heavy Vehicles (buses and trucks), private cars and about 50-60 tourist vehicles ply on ATR on a daily basis. The tourist vehicles take tourists from Port Blair to Baratang for visiting these sites. Number of tourist vehicles goes up during the main tourist season between October-April/May and reduces considerably during monsoon. At present, this is the only commercial / tourist activity taking place in the buffer zone around the Jarawa area. The Petitioner submits that at the tourist sites (i.e limestone caves and mud volcano), there is no permanent tourist facility or establishment, and the vehicles taking tourists to these sites are strictly monitored by the police convoy. The Petitioner further submits that it has submitted a proposal to Government of India for opening up of an alternate sea route linking Port Blair with Baratang and the islands beyond to the North.

16. The Petitioner further submits that the Andaman & Nicobar Administration had sent a proposal for amendment to the PAT Regulations 1956 to the Union Home Ministry, in July 2010. Under the proposed amendment, the term "buffer zone" is sought to be specifically defined as being an area adjacent to the reserve area as notified under Section 3(1) of the Regulations. The proposed amendment also seeks to clarify the meaning of "commercial activities" by clearly specifying that this term refers to resorts, hotels, restaurants, bars and paying guest accommodations (except Government run guest houses). In light of the comments and suggestions received from Government of India, the Andaman & Nicobar Administration revised the said Amendment Regulation, and again forwarded it to Government of India (Ministry of Home Affairs) on 19.11.10, where it is currently under consideration. The Draft Amendment Regulation is annexed hereto as **Annexure – 5**. The Petitioner submits that, even at present, the notification dated 30.10.2007 notifying the buffer zone is being implemented in a manner that is consistent with the clarifications contained in the proposed Amendment, i.e. "commercial" establishments are those which are either hotels, resorts, restaurants, bars, and PG accommodation. The Petitioner submits that this Hon'ble Court may be pleased to accept the interpretation preferred by the Petitioner, as any interpretation to the contrary (where "commercial" establishment is understood in a broader manner) would completely disrupt the livelihood of people in the 34 revenue villages that exists into the buffer zone, and also hamper the day-to-day activities of those residing in Middle and North Andaman.
17. The primary concern which the Buffer Zone notification was to address was the intermingling between Jarawas and tourists, and the Petitioner respectfully