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(3) Whereas Tehsildar, Rangat was asked to report on the facts in view of the complaint. It was also desired to call the complainant for hearing on 13/11/2009 and the complainant did not appear on the said date. Therefore, before taking final view, the Secretary (Tribal Welfare) was requested to send their department's comments on the complaint, which was the most crucial issue from tribal welfare angle.

(4) Whereas in response to the request of this office, the Directorate of Tribal Welfare has forwarded a copy of letter no. 12022/1/2000-TDB dated 26th April, 2005 from the Joint Secretary to Govt. of India, Ministry of Tribal Affairs, New Delhi regarding Excise Policy in tribal areas emphasizing for inclusion of protective measures for the welfare of Scheduled Tribes in the State Excise Policy. It was stressed therein that:

- a) Commercial vending of alcoholic beverages should be discontinued in tribal areas.
- b) Scheduled Tribes may be permitted to brew their traditional beverages for consumption at home and on religious and social occasions.
- c) Attempts may be made to wean the Scheduled Tribes away from the habit of drinking alcoholic beverages and for this purpose, official and non-official voluntary organizations may be encouraged to take work in the tribal areas.

(5) Whereas it has also been stressed in the letter from the GOI that even allowing commercial vending of alcoholic beverages in nearby places of tribal areas having urban characteristics defeats the very purpose of saving the tribal people from the clutches of the vendors of alcoholic beverages ultimately affecting their health and economy very adversely.

(6) Whereas Tehsildar Rangat has reported that the resort is located at a distance of 2 Km. from Kadamtala Jarawas Reserved area and there are about 15 families near the Resort.

(7) Whereas the Asst. Commissioner (TW) vide letter no. 1-752/2009-TW/220 dated 08th April, 2010 has reported that a Buffer Zone of an area up to 5 Km radius around the Jarawa tribal reserve was notified by the A&N Administration vide No.234/2007 F.No.1-752/2007-TW dated 30th October 2007. The A&N Administration has filed the SLP in this matter before the Hon'ble Supreme Court of India. The Hon'ble Supreme Court of India has admitted the SLP. Based on this, the Asst. Commissioner (TW) has requested this office to take necessary action with regard to closure of bars, resorts, hotels & lodges in the Buffer Zone. This clearly implies that the said notification regarding Buffer Zone around Jarawa Tribal Reserve Area is operative as on date and the matter is subjudiced.

