

	Regulation of 1956 as has been brought out clearly in our earlier two affidavits. Respondent property under dispute is very close to the Tribal Reserve where one can clearly see the Tribal Reserve across the Constance Bay (Map Annexed at Annexure III). We have also stated in the end of Para 15 of our affidavit filed on 13th Dec 2010 that a proposal has been submitted to Government of India for opening up an alternate sea route linking Port Blair with Baratang and the islands beyond to the North. So we are aware of the fast changing field situation and steps are being taken or planned to tackle the same in a practical way.
Para 13	The Tourism Policy of the Islands is prepared for development of sustainable and responsible tourism looking at the natural resources, fragile ecosystem and environment of these islands. The development is regulated by various Central Acts and Regulations such as Forest (Conservation) Act, 1980, Environment Protection Act, 1986 and CRZ Regulation under it and the PAT, Regulation 1956, to name a few. Mention of 36 sites, which are included in the Tourism Policy of December 2009, are locations which are proposed for development of tourism infrastructure subject to various regulations. At the end of the list a note very clearly states that the availability of sites would be subject to restrictions under the PAT Regulations, 1956 (Extract copy of the A & N Islands Tourism Policy is annexed at Annexure IV). Although the Respondent has bought the said revenue land and got the land use changed in 2001, from 'Agriculture' to 'Commercial', the ground situation at that time did not foresee the development in changed behaviour of the Jarawas. In fact in those days there was a conflict between the Tribe and the settlers of that area and also the fear of so called Jarawa attacks, which were perhaps measures of a defensive or protective nature by the Jarawas against any intrusion by the settlers into their areas for poaching or fishing etc. The Jarawa Policy of 2004 and the Buffer Zone Notification of 2007 are later measures to reduce the negative impact of fast pace of development which was started in the last decade of this millennium mainly in the tourism sector, specially after the closure of the Plywood Factories and Commercial Logging in 2002, which were the largest employers till then and the devastating mega-earthquake and the resultant tsunami of 25th Dec 2004.