

Reference pages 258-262/N

(48) **PUC-I** is the Order dated 1-8-2011 of Hon'ble Supreme Court of India regarding SLP (Civil) No. 12125/2010 (Lt. Governor, A & Islands & Ors. -vs- M/s Bare Foot Inns & Leisure Pvt.Ltd.). The Operative part of the Order is reproduced below:-

"At the commencement of hearing, Smt. Indira Jaisingh, learned Additional Solicitor General placed before the Court a satellite map to show that Xalxo Beach Resort is outside the buffer zone. Learned Additional Solicitor General then gave out that an amendment is on the anvil and the same is likely to be approved by the Cabinet in next three months.

Shri S. Ganesh, learned Senior counsel appearing for the respondent invited the Court's attention to Notification dated 30-10-2007 and submitted that in terms of the said notification, no person other than a member of an aboriginal tribe can enter the buffer zone for any commercial and/or tourism activities, but in utter violation of the notification, the administration is allowing commercial and tourism activities within the buffer zone by persons other than aboriginal tribe.

The request made by the learned Additional solicitor General for adjournment is accepted and the case is adjourned to November 4, 2011.

In the meanwhile, it shall be the duty of the Director of Tribal Welfare to ensure that Notification dated 30-10-2007 is implemented in its letter and spirit."

(49) **PUC-II** is the fax message dated 3-8-2011 from Ms. Indira Jaisingh, Addl. Solicitor General of India, New Delhi addressed to Chief Secretary, A & N Admn., Principal Secretary (TW) and Joint Secretary, MHA regarding SLP (Civil) No. 12125/2010 (Lt. Governor, A & Islands and Ors. -vs- M/s Bara Foot Inns & Leisur e Pvt. Ltd. The Addl. Solicitor General stated that the case came up for hearing on 1-8-2011 in the Apex Court. She informed the Hon'ble Court that a proposed amendment to the Andaman & Nicobar Islands (PAT) Regulation, 1956 will be made which will inter-alia, authorize the Lt. Governor to define a Buffer Zone and to define "commercial and tourist activities. The Court has adjourned the matter to 4-11-2011 for finalization of the proposed Regulation. The Hon'ble Court has directed that the existing notification of 31-10-2007 be implemented in letter and spirit.

(50) The Addl. Solicitor General stated that the existing notification Buffer Zone cannot be used for any commercial and /or tourist activities. She was informed that a certain amount of tourist activity has currently permitted in the Lime Stone Cave and Mud Volcano in Baratang Island. She further stated that any tourist activity falls squarely outside the existing Notification dated 30-10-2007 and continuation of this activity is liable to be considered as being contempt of the Order passed by the Apex Court. She requested us to take necessary action including stoppage of tourism in the said area, if necessary.

(51) She also stated that the activity in and around two Jetties on the Trunk Road joining North and South Andaman Island is