

But Court has also directed to implement the present notification declaring Buffer Zone, the matter which is being heard in our SLP by the Hon'ble Supreme Court, in its 'letter and spirit'.

Based on the argument brought out by the respondents side, Mr Indira Jain Singh, Addl. Solicitor General, appearing from our side, has written a detailed letter addressing certain issues, placed at PUC-II. The gist of these issues is given at para 50/n to 53/n.

(62)

The first issue is to implement the existing 2007 notification in its 'letter and spirit' by not allowing certain tourist activities within the declared & buffer zone, as detailed in para 50/n and repeatedly brought out by Respondent side in last 3-hearings.

(63)

The other issue is concerning the proposed amendment in the PAT regulation. We need to review the 'Commercial' & 'Tourism' - activities and establishment. ^{due to} otherwise, the added list of permissible activities in the amendment based on the advice of MHA officials during May '11, given at para 158/n at page 106/n of the linked file 1-467/2009-Tw, and as pointed out by Addl S.G. in her letter. Such as jetties, road through the Buffer Zones, may remain open to interpretation whether these commercial activities are exempted or not.

(64)

In this regard attention is drawn to our suggestion at para 118/n at page 95/n, wherein it was stated that we may only consider 'Establishments' related to tourist activities, rather than keeping both 'Commercial' and 'Establishments' along with 'Activities'. But this was not agreed by the Law Dept. It now seems that the proposed amendment will lead to complication in regulating various types of Commercial and Tourism Activities and Establishments.

(65)