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May kindly see para 73/n.

The Hon'ble Supreme Court in Special Leave Petition Appeal (Civil) No. 12125/2010 dated 1-8-2011 issued certain directions concerning Buffer Zone and about the commercial and tourism activities. Ms. Indira Jaisingh, Additional Solicitor General of India representing the Administration in Hon'ble Court vide letter dated 3-8-2011 drawn the attention of the Draft Andaman & Nicobar Islands (PAT) Regulation, 1956 which the Administration has sent to the MHA for amendment during June, 2011

It is observed by her that the definition of cultivation and sale of agriculture produce, petty business like tea shop, pan shop, grocery shop will not be considered as commercial activities in the Buffer Zone but any activities around the Lime Stone and Mud Quarry will be a commercial activity which cannot be permitted in case the present amendment is approved.

It is suggested by ASG to appropriately word the definition of commercial and tourist activities in the Draft Regulation to protect the interest of the local residents and also to implement the Buffer Zone Notification.

In view of the above, the draft proposal of PAT Regulation sent to the MHA in June, 2011 needs revision. It is suggested to revise the following Sections:-

1. Section 2(h) - It is proposed to define the tourist establishments only and deleting the words commercial activities and the explanation note.
2. Section 3(3) - To delete the words commercial activities and to keep tourist establishments.
3. 3(7) - To delete the words commercial activities and to keep only tourist establishments

The revised amendments will take care of all legal provisions in the Draft Andaman & Nicobar Islands (Protection of Aboriginal Tribes) (PAT) Regulation, 1956. By amending the above provisions tourist activities in and around Buffer Zone can be prohibited.

Secretary (Law)

20/8/11

C.S.

Mg. Lk. h. app. m.

L.G. 28/8

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