

शक्ति सिन्हा
Shakti Sinha
मुख्य सचिव
Chief Secretary



सत्यमेव जयते

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अण्डमान तथा निकोबार प्रशासन
ANDAMAN AND NICOBAR ADMINISTRATION
सचिवालय / SECRETARIAT

D.O. No. 1-467/2009-TW

Port Blair, dated the 16th March, 2011

Dear Bhamathi,

This is to bring to your notice the issue of 'Buffer Zone' under the A&N Islands Protection of Aboriginal Tribes Regulation, 1956 (PAT). Considering various Courts directions, expert opinion and guided by the 2004 policy of Protection of Jarawa Tribe, this Administration in 2007 declared a 5 Kms Buffer Zone around the existing Jarawa Tribal Reserve in South and Middle Andaman, to regulate tourist activities in this sensitive zone. In this process one resorts M/s Barafoot Inns & Leisure Pvt Ltd. who were developing a resort in South Andaman within this Buffer Zone were asked to stop this work. They went to Court and Kolkata High Court quashed the said Notification stating that the Administration has no power under the PAT Regulation to declare an area as 'Buffer Zone' as no such provision exists in the Regulation.

This Administration filed an SLP in Supreme Court and a stay was granted on the High Court's Order in March 2010. Subsequently four hearings were held and Supreme Court issued directions to close down other existing tourist resorts and establishments, which were brought to the notice to the Court by the Respondent, the Barefoot Inns & Leisure Pvt Ltd. At the same time to strengthen the legal provisions this Administration moved an amendment to the PAT Regulation to MHA on 22nd July 2010 vide our letter No.1-467/2009-TW/445 and subsequently comments from other Ministries were obtained. We have sent a revised version of the amendment, based on the comments received from Ministry of Tribal Affairs, Ministry of Finance, Department of Revenue etc to MHA vide our letter No. 1-467/2009-TW/245 dated 11/03/2011 (Copy is enclosed for ready reference).

The issue of protection of Jarawa Tribes has also been brought to the notice of Chairperson NAC by Mrs Sayeeda Hamid, Member Planning Commission and we have furnished our comments and views to NAC and subsequently to MHA vide D.O.No. 1-505/2009-TW Dt. 31/1/2011. It is understood that NAC has asked for a discussion on this issue sometime in May 2011. Our Member of Parliament from A&N Islands Shri Bishnu Pada Ray has also taken up the issue of Buffer Zone with Home Minister and others and we have sent our comments vide Lr. No. 1-505/2005/TW(PF)/228 dt. 7th March 2011.