



RIGHT TO  
INFORMATION

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NO 12789/2011  
अपर-महा-सॉलिसिटर  
भारत  
ADDITIONAL SOLICITOR-GENERAL  
INDIA

Law Officers' Chambers,  
2<sup>nd</sup> Floor, Supreme Court of India,  
New Delhi-110 001.

Date: 16<sup>th</sup> November 2011

Dear Sir,

Re: **Andaman & Nicobar Administration vs. Barefoot Hotels & Resorts Pvt. Ltd. SLP (C) No.12125 of 2010**

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I write in connection with the above-referred matter, which shall next be listed in the Hon'ble Supreme Court on 25.11.2011. As you are perhaps aware, the matter concerns the notification of a Buffer Zone around the Jarawa Reserve Area which is notified under the Andaman & Nicobar (Protection of Aboriginal Tribes) Regulations, 1956. By the said notification, non-tribals are prevented from entering the buffer zone for commercial or tourist activities. The buffer zone is an area of 5km radius around the Jarawa Reserve Area. By the judgment of the Calcutta High Court, the Buffer Zone notification dated 30.10.2007 has been quashed, on the ground that the Regulations only contemplates the notification of the Reserve Area, and there is no provision which empowers the Administration to notify a buffer zone around the reserve area. Against this decision quashing the buffer zone notification, the Administration has filed the present Special Leave Petition before the Supreme Court.

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Before the Supreme Court, the Administration obtained a stay of the decision of the High Court, and the buffer zone notification is therefore presently operative. The Respondent then later pressed for vacation of stay on the ground that the notification is being selectively implemented, and there are various other commercial and tourist establishments flourishing in the buffer zone. The Court asked Andaman administration to file an affidavit. An affidavit was filed in November 2010. On 3.12.10, the Court directed counsel for the Petitioner to seek instructions and make a statement at the next date about closure of establishments in the buffer zone. Petitioner filed a further additional affidavit on 13.12.10, indicating that there were 22,000 people living in the buffer zone (who had been settled there pursuant to government rehabilitation schemes), and closure of all commercial establishments would deprive these people of their