

(27) This is regarding SLA (Civil) 12125/2010 (A & N Administration -vs- M/s Bare Foot Inns and Leisures Pvt. Ltd). This Admn. has filed an SLP in Supreme Court and a stay was granted on the High Courts order in March, 2010. Subsequently, 4 hearings were held in the Supreme Court. In the last hearing held on 4.3.2011 in the Supreme Court, (a copy is placed at flag 'A') the issue of implementation of Buffer Zone Notification come up again and court was appraised by the Ld. Solicitor General appearing from Administration side that considering various factors related to settlements/villagers within the Buffer Zone all normal day to day activities may not be considered as "Commercial" as they are going on for many decades and do not effect the Jarawa Tribe. The court has also ordered that the statement should be made on behalf of the petitioners about the status of Xalxo Beach Resort. However the request of the Ld. Solicitor General is accepted by the court and the hearing of the case is adjourned to 4/5/2011.

(28) So far as the status of Xalxo Beach Resort is concerned, it is stated that Xalxo Beach Resort situated at Naya Garh village in Baratang Islands is out of Buffer Zone. A map showing the location of Xalxo Beach Resort has been obtained from the Revenue Deptt. and the same shall be placed before the Apex Court.

(29) In this context, it is stated that the Administration has already moved an amendment of PAT Regulation wherein detrimental commercial activities would be defined, the issue of selective implementation of Buffer Zone will be properly dealt with. Since the amendment is under consideration in Ministry of Home Affairs, the Supreme Court was asked for 8 weeks time for the review exercise to be concluded and a decision be taken on the proposed amendment.

(30) As per the suggestion of the Ministry of Tribal Affairs, a revised proposed amendment in the PAT Regulation has also been sent to Ministry of Home Affairs for approval of the competent authority vide this Administration's letter No.1-467/2009-TW/245 dated 11-5-2011 (a copy is placed at flag 'B').

(31) As we have not heard anything from the Ministry of Home Affairs, we may not be able to file an affidavit with the approved amendment to the PAT Regulation to the Court before 4-5-2011. It is, therefore, proposed that we may request the Ld. Solicitor General to obtain sufficient time from the Apex Court so that the amendment to PAT Regulation duly approved by the GoI, MHA could be placed before the Apex Court.

Submitted for perusal and approval please.

(32) 25/4/11

Director (TW)

(Signature)  
25/4/11  
Senior Research Officer

(33) In the matter arising under SLA (Civil) A & N Administration vs. M/s Bare Foot Inn & Leisures Pvt. Ltd., the Admn has to submit following two action points:-  
a) Status of Xalxo Beach Resort a/-