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F. No. 1-752/2009-TW/
अण्डमान तथा निकोबार प्रशासन
ANDAMAN AND NICOBAR ADMINISTRATION
जनजाति कल्याण निदेशालय
DIRECTORATE OF TRIBAL WELFARE

Port Blair dated the November, 2012

Sub: - Field Level Committee report on Buffer Zone – reg

① The A&N Administration issued notification on 30th October, 2007 specifying 5 Kms band around the Jarawas reserve as Buffer Zone & prohibiting entry of non-tribals for commercial and tourism activities. The Buffer Zone was created under the provisions of A&N Islands (Protection of Aboriginal Tribes) Regulations, 1956 to protect the tribes and their natural resources from exploitation by outsiders. The Buffer Zone covers an area to the extent of 843 Sq Km comprising 22 revenue settlement villages and 22,000 populations.

② In the wake of the above, Notification, 7 tourist establishments falling in the buffer zone have been closed down. The said notification was challenged by the owner of Ms Barefoot Inns & Leisure Pvt Ltd in the Hon'ble High Court of Calcutta and the Buffer Zone notification was struck down by the High Court of Calcutta. The Administration challenged the order of Hon'ble High Court of Calcutta in a SLP filed in the Hon'ble Supreme Court. The Supreme Court stayed the decision of the Calcutta High Court. Further, as per an interim order dated 2nd July, 2012, the Supreme Court directed the Administration to implement the buffer zone notification until it is rescinded or amended.

③ The Administration has to close down all the commercial establishments which include ration shops, tea-shops, tailoring and shops for the daily needs of the villagers if the order is implemented in the present form. Even the surplus agricultural produce cannot be sold by the farmers. As such the overall livelihood and subsistence activities of the villagers will be affected and the entire population are to be relocated which will have adverse social and economical impact on the non tribals in addition to serious law and order problems.

④ The A&N Administration had submitted a proposal to the Govt of India for amendment of the A&N (PAT) Regulation, 1956. The amendment has been approved and brought into force with effect from 9.7.2012. The amended Regulation empowers the Administrators to declare any area which is contiguous and adjacent to the reserve area as Buffer Zone in the interest of Jarawas and specify the limits of such area and may from time to time in like manner alter such limits for protecting the interests of the aboriginal tribes.

⑤ In view of the enabling provisions under the amended PAT Regulation, 2012, the Administration has constituted a committee under the chairmanship of Chief Secretary with senior officers of Line Departments to re-visit Buffer Zone Notification. The said Apex Committee in its first meeting decided to constitute a sub committee under the convenership of Secretary (TW) and Field Level Committee under the convenership of Director (TW).