

No.1-752/2009-TW(PF)/ 833
ANDAMAN & NICOBAR ADMINISTRATION
DIRECTORATE OF TRIBAL WELFARE

Port Blair, dated the 7th December, 2010

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To

The Principal Chief Conservator of Forest,
Andaman & Nicobar Islands,
Port Blair.

Sub:- Special Leave Petition (Civil) No.12125/2010 (Andaman & Nicobar Administration - vs - M/s Barefoot Inn and Leisures Pvt. Ltd.- Reg.

Sir,

I am directed to enclose herewith a copy of judgement and Order dated 03-12-2010 of the Hon'ble Supreme Court of India against the Order dated 2-7-2009 of Hon'ble High Court of Kolkata, Circuit Bench at Port Blair in MAT No. 31 of 2009 regarding the above mentioned subject, which is self explanatory.

The operative part of the Order dated 3-12-2010 of Hon'ble Supreme Court of India in the above said matter is reproduced below.

"Heard learned counsel for the parties and perused the record including the additional affidavits filed by the petitioners and the respondent.

Prima facie we are of the view that the petitioners have so far not taken steps to implement the notification relating to buffer zone. Learned counsel for the petitioners shall seek specific instructions from the concerned authority of the Andaman and Nicobar Administration and make a statement before this court on the issue of closure of all commercial and tourist establishments within the buffer zone.

List on 15.12.2010."

Further Shri Aman Ahluwalia, Govt. Advocate vide his fax message dated 3-12-2010 (copy enclosed) stated that the matter related to SLP was discussed and it was suggested that the Hon'ble Court has directed that all commercial and tourist establishments in the Buffer Zone must be closed down and a statement must be made on the next date of hearing that all such establishments in the Buffer Zone have been closed.

The Hon'ble Court has further directed that the notification must be implemented universally and not selectively against the Respondent and a few others.

You are, therefore, requested to kindly furnish your views on the tourist set-up/facilities currently operational in the Buffer zone specially the Lime Stone Cave, Mud Volcano and the Parrot Island to this Directorate immediately for onward submission to the Govt. Advocate for making statement and submitting to Hon'ble Supreme Court on 15-12-2010.

This may be treated as most urgent.

Yours faithfully,

Encl:A/A

Assistant Commissioner (TW)

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