

- members of an aboriginal tribe, to whom a licence has been granted ;
- (e) "person" does not include a member of an aboriginal tribe ;
 - (f) "Prescribed fee" in respect of any document or act means the fee payable thereon or therefor under rule 11 ;
 - (g) "Regulation" means the Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 ;
 - (h) "section" and "sub-section" respectively mean a section of the Regulation and a sub-section of a section of the Regulation ; and
 - (i) "year" means a financial year.

CHAPTER II

PASSES

3. PERIOD FOR WHICH PASS MAY BE GRANTED OR RENEWED — A pass under section 7 may be granted for a period of one year or a part thereof and may, subject to the provisions of these rules, be renewed for a further period not exceeding one year.

4. APPLICATION FOR PASS — An application for the grant of a pass shall be made in Form 'A'.

✓ 5. GRANT AND RENEWAL OF PASS — (1) On an application filed under rule 4, if the Deputy Commissioner, after such enquiry as he may deem fit to make, does not reject the application, he may, subject to the provisions of these rules, grant a pass to the applicant in Form 'B' for any period expiring on a date within the current financial year.

(2) A pass granted under sub-rule (1), may, on an application being made in Form 'D' to the Deputy Commissioner, be renewed by him for a period permitted under rule 3.

6. REGISTER OF PASSES — A register of passes granted or renewed under rule 5, shall be maintained by the Deputy Commissioner in Form 'C' and an extract therefrom containing the details of passes so granted or renewed during a calendar month shall, after the close of such month, be sent by him to the Chief Commissioner.

CHAPTER III

LICENCES FOR TRADE OR BUSINESS

7. APPLICATION FOR LICENCE — Every application for grant of a licence shall be in Form 'E'.

8. GRANT OF LICENCE — On an application filed under rule 7, if the Chief Commissioner, after such enquiry as he may deem fit to make, does not reject the application, he may, subject to the provisions of these rules, grant a licence for a period not exceeding one year.

9. FORM OF LICENCE — Every licence granted under rule 8 shall be in Form 'F'.

10. REGISTER OF LICENCES — A register of licences granted under rule 8 shall be caused to be maintained by the Chief Commissioner in Form 'G'.

CHAPTER IV

MISCELLANEOUS

11. FEES FOR PASSES AND LICENCES—No pass or licence shall be granted unless the fee in respect thereof as indicated below has been paid to Government, namely :-

DETAILS OF PASS, ETC	RATE OF FEE
(i) Pass to be granted to a Government servant while on duty or to a Government servant (and any member of his family) while proceeding on transfer.	Nil
(ii) Subject to item (i) above, a pass to be granted for a period not exceeding one month.	Re. 1/-
(iii) A pass other than a pass specified at item (i) or item (ii) above.	Rs. 5/-
(iv) Renewal of a pass.	The same fee as for the original grant of a pass.
(v) A licence.	Rs. 500/-

12. PURCHASE OF LOCAL PRODUCE IN RESERVED AREAS BY LICENSEE—(1) A licensee holding licence in form 'F' shall be authorised to purchase the various items of local produce from the aboriginal tribes of the reserved area for which he holds a licence.

(2) The extent to which, and the minimum rates at which, the various items of such produce may be purchased by a licensee shall be fixed by the Chief Commissioner from time to time.

13. ROYALTY PAYABLE TO GOVERNMENT ON LOCAL PRODUCE EXPORTED FROM RESERVED AREAS—(1) On all local produce purchased under rule 12 and exported from a reserved area, a royalty at such rate or rates as may be fixed by the Chief Commissioner from time to time shall be levied.

(2) The royalty levied under sub-rule (1) above shall be paid by the licensee to the Deputy Commissioner or to such other officer as may be appointed by the Deputy Commissioner in this behalf and shall be credited to Government.

14. RESIDUAL MATTERS—Such matters as are not specifically provided for or are insufficiently provided for in these rules shall be regulated in such manner as may be directed by the Chief Commissioner.

SCHEDULE
FORM A
(See Rule 4)

APPLICATION FOR THE GRANT OF A PASS UNDER
SECTION 7 OF THE ANDAMAN AND NICOBAR ISLANDS
(PROTECTION OF ABORIGINAL TRIBES) REGULATION, 1956.

To
The Deputy Commissioner,
Andaman and Nicobar Islands.

I,.....
(name of the applicant), hereby apply for a pass under section 7 of the Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 and the rules made thereunder authorising me to enter and remain in the following reserved area in the Andaman and Nicobar Islands for the period commencing fromand ending on, namely :—

(DETAILS OF THE RESERVED AREA)

2. The required particulars are as follows :—

- (a) Applicant's father's or husband's name _____
- (b) Applicant's nationality _____
- (c) Applicant's height _____ feet _____ inches
- (d) Colour of applicant's hair _____
- (e) Colour of applicant's eyes _____
- (f) Distinguishing marks _____
- (g) Applicant's address _____
- (h) Purpose of visit to the reserved area _____
- (i) Details of employment proposed to be taken up in the reserved area and the name of the employer, if any _____
- (j) No. of pass previously held, if any _____
- (k) Details of any other kind of applicant's interest, if any, in the reserved area authorised under the Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 or the rules made thereunder _____
- (l) Has the applicant been ever convicted of an offence under the Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 or any other law, and, if so, the details of the offence and the punishment awarded? _____
- (m) Any other particulars _____

3. I agree to abide by the provisions of the Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 and the rules made thereunder and also by the terms and conditions of the pass, if granted.

Dated at.....
the.....day of.....19.....

Signature of applicant

FORM B

(See Rule 5)

PASS FOR ENTERING A RESERVED AREA IN THE ANDAMAN & NICOBAR ISLANDS

PASS No.

This PASS under Section 7 of the Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 (hereinafter referred to as "the Regulation") is hereby granted to Shri/Shrimati/Kumari.....
.....
(hereinafter referred to as "the pass-holder") identifiable by the following particulars, namely :-

- (a) Father's or husband's name _____
- (b) Nationality _____
- (c) Height _____ feet _____ inches
- (d) Colour of hair _____
- (e) Colour of eyes _____
- (f) Distinguishing marks _____
- (g) Address _____
- (h) Signature or thumb impression _____

2. Subject to the provisions of the Regulation and the Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Rules, 1957 (hereinafter referred to as "the said Rules") and also to the conditions set forth in the following statement, this PASS authorising the pass-holder to enter and remain in* _____
(hereinafter referred to as "the said reserved area"), shall be valid and remain in force from _____ to _____, namely :—

STATEMENT OF CONDITIONS

1. The pass-holder may visit the said reserved area and remain therein during the period of validity of this PASS for the following purpose and shall, after the expiry of such period, surrender this PASS to the Officer-in-Charge of the nearest police station or to the nearest Magistrate and, if this PASS is lost, a report of such loss shall be made by the pass-holder forthwith to the said Officer-in-Charge or the said Magistrate, namely :—

2. The pass-holder shall not carry on or engage himself in any trade or business in the said reserved area except to the extent, if any, authorised by this PASS.

* Details of the reserved area for which PASS has been granted to be entered here.

3. The pass-holder shall not collect any forest produce from the said reserved area, and shall not carry to or from the said reserved area any book, diary, manuscript, map, picture, photograph, film, curio or article of religious or scientific interest, which is likely to be against public interest or may affect the security of the State.

4. The pass-holder shall not introduce or attempt to introduce into the said reserved area any of the following articles, namely :—

- (i) beer, wine or other spirituous or fermented liquor ;
- (ii) opium, Bhang, ganja or other hurtful or intoxicating drug ;
- (iii) arms, weapons, gun powder, or other explosive or highly inflammable substance except to the extent permitted by the Chief Commissioner of the Andaman and Nicobar Islands (hereinafter referred to as "the Chief Commissioner") or by any law for the time being in force ; and
- (iv) such other articles as may be prohibited by the Chief Commissioner from time to time,

5. This PASS shall be liable to be cancelled if the pass-holder is convicted of an offence punishable under the provisions of the Regulation or the said rules or any other law for the time being in force or is shown to the satisfaction of the Chief Commissioner to be leading a scandalous or notoriously evil mode of life conducive to breach of the public peace or prejudicial to the maintenance of the public safety in the said reserved area.

6. The Deputy Commissioner may, and shall, when so required by the Chief Commissioner, at any time after recording his reasons in writing, but without assigning to the pass-holder any reasons for so doing, by order in writing cancel this PASS. The PASS shall be void from the date of receipt of such order by the pass-holder :

PROVIDED that where this PASS is so cancelled by the Deputy Commissioner, he shall forthwith send a copy of his recorded reasons for so doing to the Chief Commissioner and the Chief Commissioner may, on his own motion or on application by the pass-holder or otherwise reverse the order of the Deputy Commissioner and thereupon the PASS shall again come into force and be valid.

7. Any breach of the provisions of the Regulation or the said Rules or of the conditions of this PASS, shall, in addition to any other penalty, render the pass-holder disqualified for being granted any pass under section 7 of the Regulation.

Dated at _____

the _____ day of _____ 19

Deputy Commissioner,
Andaman & Nicobar Islands

RENEWALS

This PASS is hereby renewed and rendered valid under rule 5 (2) of the Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Rules, 1957 for the period—

1. Commencing from _____ and ending on _____

Deputy Commissioner,
Andaman and Nicobar Islands

2. Commencing from _____ and ending on _____

Deputy Commissioner,
Andaman and Nicobar Islands

3. Commencing from _____ and ending on _____

Deputy Commissioner,
Andaman and Nicobar Islands

REGISTER OF PASSES GRANTED UNDER SECTION 7 OF THE ANDAMAN AND NICOBAR ISLANDS (PROTECTION
OF ABORIGINAL TRIBES) REGULATION, 1956.

1		*Number of pass.		
2		Pass-holder's name, father's name and address.		
3		Nationality.	PASS-HOLDER'S—	
4		Height		
5		Colour of hair		
6		Colour of eyes		
7		Distinguishing marks.		
8		Signature or thumb impression.		
9		Description of the reserved area for which pass has been granted.		
10		Purpose of visit to the reserved area.		
11		Date of grant of pass.		
12		Date upto which Pass has been granted.		
13		Challan No. and date of payment of prescribed fee for grant of pass.		
14		Date of renewal of pass.	RENEWALS	
15		Date upto which pass has been renewed.		
16		Challan No. and date of payment of prescribed fee for renewal of pass.		
17		Name of the person, if any, with whom the pass-holder is employed in the reserved area.		
18		REMARKS		

*Each pass shall be given a separate number serially.

FORM D.

[See Rule 5(2)]

**APPLICATION UNDER RULE 5(2) OF THE ANDAMAN
AND NICOBAR ISLANDS (PROTECTION OF ABORIGINAL
TRIBES) RULES, 1957 FOR THE RENEWAL OF PASS
FOR ENTRY INTO THE RESERVED AREA.**

To

The Deputy Commissioner,
Andaman and Nicobar Islands.

I,

(name of the applicant), was granted Pass No. _____ authorising
me to enter the following reserved area in the Andaman and Nicobar Islands and to
remain therein from the Period commencing from _____
and ending on _____, namely:—

(DETAILS OF THE RESERVED AREA)

2. The aforesaid pass was renewed from time to time and rendered valid upto the
As the pass has since expired,

I hereby apply for its renewal, on the same terms and conditions, for further period
commencing from the _____ and ending
on the _____ The required particulars
are as follows:—

- (a) No. of the *expired/expiring
pass
- (b) Date of grant of the
*expired/expiring p a s s
- (c) Date of last renewal, if any,
of the *expired/expiring pass
- (d) Names and addresses of the
persons by or under whom
the applicant was employed
or engaged in the reserved
area during the last period
- (e) Name and address of the person by or under whom the applicant was employed
or engaged in the reserved area at the close of the last period.....
- (f) Name and address of the person by or under whom the applicant is proposed
to be employed or engaged during the period for which the pass is to be renewed
.....

(g) Has the applicant been convicted of any offence during the last year and, if so, the details of the offence and the punishment awarded?.....

(h) Present address of the applicant.....

3. The*expired/expiring pass is attached herewith.

Dated the..... 19 .

Signature of applicant.

N.B.—The expired/expiring pass must accompany this application.
*Strike out the portion not applicable.

FORM E.

(See Rule 7)

APPLICATION FOR THE GRANT OF A LICENCE FOR
TRADE OR BUSINESS UNDER SUB-SECTION (1) OF
SECTION 6 OF THE ANDAMAN AND NICOBAR ISLANDS
(PROTECTION OF ABORIGINAL TRIBES)
REGULATION, 1956.

To

The Chief Commissioner,
Andaman and Nicobar Islands,
Port Blair.

I,.....
(name of the applicant), hereby apply for a licence under sub-section (1) of section 6 of the Andaman and Nicobar Islands (Protection of Aborigine Tribes) Regulation, 1956 and the rules made thereunder authorising me to carry on trade or business in the following reserved area in the Andaman and Nicobar Islands for the period commencing fromand ending on....., namely:—

(DETAILS OF THE RESERVED AREA)

2. The required particulars are as follows:—

(a) Applicant's father's or husband's name

(b) Applicant's nationality

(c) Applicant's Address

(d) Whether the licence is desired in applicant's individual name or in the name of any firm, company, etc.

(e) If the licence be desired in the name of any firm, company, etc., the name and style in which the firm, company, etc., carries on business and the details of its constitution including the names, etc., of its partners if it be a partnership firm.

(f) Details of resources which are to be employed in connection with the trade or business.

(g) Details of water-crafts and transport vehicles, if any, proposed to be employed in connection with the trade or business.

(h) Name of the station at which a seaworthy boat shall be kept for the purpose of carriage or transport or Government cargo and officials under the terms and conditions of the licence, if granted.

(i) Does the applicant or the firm, company, etc., in whose name the licence is desired, hold any such licence in relation to any other reserved area?

(j) Has the applicant or the firm, company, etc., in whose name the licence is desired, been ever refused such a licence previously, and, if so, the date of such refusal?

(k) Has the applicant or the firm, company, etc., in whose name the licence is desired, been ever convicted of an offence under the Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 or any other law, and, if so, the details of the offence and the punishment awarded?

(l) Any other particulars.

3. I, [and also the firm, company, etc., in whose name the licence is desired,] agree to abide by the provisions of the Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 and the rules made thereunder and also by the terms and conditions of the licence, if granted.

Dated at _____

the _____ day of _____ 19

Signature of applicant and/or the authorised person on behalf of the firm, company, etc., together with its authorised seal.

[] Strike out if not applicable

FORM F.

(See Rule 9)

LICENCE FOR TRADE OR BUSINESS GRANTED UNDER
SUB-SECTION (1) OF SECTION 6 OF THE ANDAMAN AND
NICOBAR ISLANDS (PROTECTION OF ABORIGINAL TRIBES)
REGULATION, 1956.
NON-TRANSFERABLE

LICENCE No. _____

This LICENCE is hereby granted under sub-section (1) of Section 6 of the Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 (hereinafter referred to as "the said Regulation") to

Shri

Messrs.

son of _____ resident

of _____ (hereinafter referred to as "the licensee")

authorising ^{him} to carry on trade or business in the reserved area hereinafter _{them}

fully described for the period commencing from _____

and ending on _____ (hereinafter referred to as "the term of this LICENCE") subject to the provisions of the said Regulation and the Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Rules, 1957 (hereinafter referred to as "the said Rules") and also subject to the terms and conditions set forth in the following statement, namely :—

STATEMENT OF TERMS AND CONDITIONS

1. The licensee shall be authorised to carry on trade or business in the following reserved area in the Andaman and Nicobar Islands (hereinafter referred to as "the said reserved area"), namely :—

2. During the term of this LICENCE, the licensee shall —

(a) maintain an efficient system of procurement, supply and distribution of cloth, consumers' goods and other articles described in the Annexure hereunder written (such cloth, goods and articles hereinafter collectively referred to as "the authorised articles") in the said reserved area ;

- (b) handle things and properties belonging to Government in such manner and on such terms, conditions and stipulations as may be mutually agreed between the licensee and the Chief Commissioner of the Andaman and Nicobar Islands (hereinafter called "the Chief Commissioner");
- (c) work as the stevedorer for Government cargo in the said reserved area and to provide sufficient labour and other efficient facilities for loading, unloading and stacking of such cargo on payment by Government of such rates or charges as may from time to time be fixed by the Chief Commissioner;
- (d) keep, maintain and station at his own cost and risk a sea-worthy boat at.....
and to make her available for the purpose of—
- (i) carriage or transport of Government cargo by sea to.....

 on payment of such rate or rates of freight as may from time to time be fixed by the Chief Commissioner, and
- (ii) enabling Government Officials to visit

 on payment of such rate or rates of passage as may from time to time be fixed by the Chief Commissioner;
- (e) perform such other functions and discharge such other obligations as may hereunder devolve on the licensee; and
- (f) perform such other reasonable function or functions as may, with the consent of the licensee, be entrusted to him by the Chief Commissioner.

3. For the purpose of maintaining as efficient system of supply and distribution of the authorised articles in the said reserved area, the licensee shall, at his own cost and risk, procure and hold sufficient stock of all the authorised articles at such places in the said reserved area as may be conveniently accessible to the local civil population:

PROVIDED that the licensee shall be required to procure and hold at his own cost and risk such minimum or maximum stock of all or any of the authorised articles at such place or places in the said reserved area as may, at any time, be fixed by the Chief Commissioner or by such Officer as may be authorised by the Chief Commissioner in this behalf.

4. The maximum price at which any of the authorised articles may be sold by the licensee in said reserved area shall be fixed from time to time by the Chief Commissioner or by such Officer as may be appointed by the Chief Commissioner in this behalf :

PROVIDED that no maximum price so fixed in respect of any authorised article shall exceed the amount of cost price at which such article was purchased in wholesale at Port Blair or at any other place in India, as the case may be, added by such percentage of the amount of such cost price as has been expressed to be permitted as the margin of profit in the Annexure hereunder written.

5. (1) The Chief Commissioner may, from time to time, fix the rates at which the licensee shall be authorised to purchase the various items of local produce from the aboriginal tribes of the said reserved area and, until some other rates are so fixed by the Chief Commissioner, the licensee shall be authorised to purchase any of the commodities specified in column (1) of the following Table from the aboriginal tribes of the said

reserved area at a rate not less than the minimum purchase-rate specified there against in column (2) of the said Table, that is to say:—

TABLE OF PURCHASE-RATES.

Name of the commodity. (1)	Minimum *Purchase-rate. (2)
Coconuts	
Hukka-nuts	
Copra	
Betel-nuts	
Silk-cotton	

(2) On every item of local produce purchased from the aboriginal tribes of the said reserved area and exported therefrom to any place outside the said reserved area, the licensee shall pay royalty to Government at such rates as may from time to time be fixed by the Chief Commissioner and until some other rates are so fixed by the Chief Commissioner the royalty payable by the licensee to Government on each of the commodities specified in column (1) of the following Table shall be at the rate specified there-against in column (2) of the said Table, that is to say:—

Name of the commodity. (1)	*Rate of royalty. (2)
Coconuts	
Hukka-nuts	
Copra	
Betel-nuts	
Silk-cotton	

6. During the term of this LICENCE, the licensee shall perform the functions and discharge the obligations on his part most efficiently, faithfully and promptly to the best advantage of Government and with the same degree of economy, prudence, diligence, skill and judgment as the licensee would exercise if the licensee were entitled to the benefits arising or likely to arise out of the performance of such functions and discharge of such obligations, and generally in accordance with the instructions and to the satisfaction of the Chief Commissioner which might involve the carrying out, without any extra payment, of such subsidiary instructions as the Chief Commissioner may from time to time issue.

7. In no event and under no circumstances, the licensee shall assign, transfer, sublet or underlet any of his interests, benefits, titles, rights, covenants, obligations or any other form of interests or liability whatsoever arising from or incidental to this LICENCE or any part thereof and in particular the licensee shall not appoint any person, firm, society, association or company as a sub-licensee or sub-agent or in any other capacity purporting to act on behalf of, or in the name of, Government or of the licensee; and all transactions between the licensee and a third party shall be carried out as between two principals without any recourse in any event to Government or to the Chief Commissioner.

*The current rates which are in force for the time being should be entered in this column.

8. For the proper and efficient performance and discharge of the functions and obligations on his part under this LICENCE, the licensee shall, at his own risk and expense, provide everything that is necessary including proper establishment and in particular the licensee shall, at his own expense and risk—

- (a) appoint a fully qualified and experienced person to be the General Manager to supervise the shops established by the licensee in the said reserved area and the appointment of such person shall be made with the previous approval of the Chief Commissioner ;
- (b) appoint General supervisory and other staff for such shops as well as for storage, godown and transport ;
- (c) appoint clerical staff competent to carry out business correspondence and to keep proper record and account of all transactions carried out by the licensee ; and
- (d) employ labour for the purpose of loading, unloading, stacking, distribution and generally for all purpose connected with the functions and obligations on the part of the licensee under this LICENCE :

PROVIDED that the establishment and labour appointed under this clause shall be adequate to carry out the appropriate duties required of them and that in making such appointments the licensee may without prejudice to the terms and conditions of this LICENCE, employ the aboriginal tribes of the said reserved area to such extent as may be feasible.

PROVIDED ALSO that no person who does not hold a valid pass granted under section 7 of the said Regulation, or to whose appointment the Chief Commissioner may take exception, shall be employed by the licensee in his establishment or labour, and if any such exception is taken by the Chief Commissioner in the case of a person already employed under the licensee, such person shall be removed from such employment forthwith.

PROVIDED FURTHER that all persons appointed in the establishment or labour of the licensee shall, for all purposes and in all respects, be the servants of the licensee who shall accept full responsibility as their employer and pay fair wages having regard to the rates of wages prevailing in the said reserved area and that the licensee hereby indemnifies Government and the Chief Commissioner against all claims of any kind whatsoever in respect of the persons appointed as aforesaid or otherwise arising out of the working of this LICENCE.

9. Such buildings accommodation, electric fittings including lights, fans etc., office and shop furniture and equipments, fire and other appliances, boats, launches and other things and materials necessary for the efficient performance and discharge of the functions and obligations on the part of the licensee under this LICENCE, shall be arranged and procured by the licensee himself at his own cost and risk.

10. (1) The licensee shall maintain or cause to be maintained the correct and true accounts of all transactions and dealings in relation to his business under the terms and conditions of this LICENCE and the accounts so maintained or caused to be maintained shall, among other things, clearly show the details of all moneys received and paid, all authorised articles procured and sold in the said reserved area, the prices at which such articles were so procured and sold, all transactions carried out by the licensee with the inhabitants of the said reserved area and with Government and all other matters which may be necessary to manifest the state of business affairs of the licensee under this LICENCE or which may be specified by the Chief Commissioner.

(2) All books of accounts maintained or caused to be maintained by the licensee under sub-clause (1) shall be kept in the licensee's office at..... and shall, on demand, be made available at all reasonable times, to the Chief Commissioner or to such Officer of Government as may be authorised by the Chief Commissioner in this behalf for the purpose of inspection, examination, copying, fixation of prices, audit or any other reasonable purpose.

(3) The licensee shall duly account for all Government properties in his possession and shall submit such periodical and other reports as to the state of such properties and other matters connected with this LICENCE as may from time to time be required by the Chief Commissioner.

11. (1) The licensee may, at his own expense, insure all or any of the authorised articles and other things, goods or materials procured by him under the terms and conditions and of this LICENCE, in order to cover any risk during the transit of such articles, things, goods or materials to the said reserved area or their storage or otherwise and Government undertakes no responsibility or liability for loss or damage to such articles, things, goods or materials or to any other property of the licensee in any manner or under any circumstances whatsoever.

(2) Where any articles, things, goods, materials or any other property belonging to Government is held or handled by the licensee on behalf of Government, the licensee shall be responsible and liable for any loss or damage to such articles, things, goods, materials or property and shall always be deemed to have indemnified Government against such loss or damage.

12. (1) Notwithstanding anything hereinbefore contained, this LICENCE shall, at the option of the Chief Commissioner, be liable to cancellation forthwith in each and every of the following events, that is to say :—

- (a) If the licensee commits any breach of any of the provisions of the said Regulation or of the said Rules or of any of the terms or conditions of this LICENCE or of any of the provisions herein contained.
- (b) If the licensee fails to perform any of the functions or discharge any of the obligations on his part under this LICENCE.
- (c) If the licensee becomes insolvent.
- (d) If the licensee ceases to exist as a trading concern in its existing formation on account of dissolution or liquidation or otherwise on account of an order passed by any competent Government authority or any competent Court

(2) Where this LICENCE is cancelled under sub-clause (1), the Chief Commissioner shall, without prejudice to his other rights and powers herein contained, be entitled and have full power to take over, at his discretion, any of the authorised articles in possession of the licensee and to dispose them of at the risk and expense of the licensee and realise Government's claims from the proceeds and also from the moneys due to the licensee on account of any transaction with Government under this LICENCE or any other agreement or understanding with Government.

13. Without prejudice to the provisions of clause 12, the Chief Commissioner may, at any time without advancing any reasons, cancel this LICENCE by delivering a notice of such cancellation in writing to the licensee at least two months in advance of the date on which such cancellation is intended by the Chief Commissioner to take effect.

PROVIDED that the licensee shall also be entitled and have full power to surrender this LICENCE at any time during its continuance by delivering a notice of such surrender in writing to the Chief Commissioner at least two months in advance of the date on which such surrender is intended by the licensee to take effect.

14. Any bribe, commission, gift or advantage given, promised or offered by or on behalf of the licensee to any officer, servant or representative of Government in relation to the grant of this LICENCE shall, in addition to any criminal liability incurred by the licensee render this LICENCE liable to cancellation in the discretion of the Chief Commissioner and any loss or damage resulting to Government on account of such cancellation shall be compensated by the licensee.

15. Where this LICENCE is intended to be cancelled by the Chief Commissioner and a notice or intimation of such intention has been given to the licensee by the Chief Commissioner, the licensee shall wind up his business, interests, liabilities and affairs in or in relation to or in respect of the said reserved area and settle all the claims of Government and third parties before the date on which such cancellation is to take effect and in particular the licensee shall, if required by the Chief Commissioner, deliver the stock of the authorised articles and other things, goods and materials procured by him in the said reserved area to Government on payment of fair and reasonable prices therefor by Government.

PROVIDED that provisions of this clause shall, in effect, be in addition to and not in derogation of any of the other provisions herein contained.

PROVIDED ALSO that in the context of any consequences ensuing from the operation of the provisions of this clause, the licensee shall always be deemed to have indemnified Government against any loss or damage to the interests of the licensee or of any other person or party having any dealings with the licensee.

16. In the event of cancellation of this LICENCE before the expiry of the period of its validity ending on the term of this LICENCE shall, notwithstanding anything herein contained expire on the date on which such cancellation is to take effect and all references herein to "the term of this LICENCE" shall be construed as references to the term so expiring on such date.

17. The licensee shall, within seven days ^{or to} from the date of grant of this LICENCE, deposit with Government a sum of Rs. 6,000/- (Rupees six thousand) as security for the due performance of the functions and discharge of obligations on his part under this LICENCE and for strict observance of the terms and conditions of this LICENCE, and the sum so deposited shall, during the continuance of the term of this LICENCE, be retained by Government as security as aforesaid without any liability on its part to pay any interest thereon to the licensee and shall, on expiry of the said term, be refunded to the licensee on presentations by him of a "No Demand" certificate and return in good condition of Government properties issued or entrusted to him :

PROVIDED that in the event of any default or failure on the part of the licensee in the performance of such functions or discharge of such obligations or in the observance of such terms and conditions, the sum so deposited or any part thereof shall, in the discretion of the Chief Commissioner, be liable to be forfeited to Government without prejudice to any other rights, titles or remedies enforceable by Government on account of such default or failure.

18. No default, failure or omission in the observance of any of the terms or conditions of this LICENCE or in the performance or discharge of any of the functions or obligations arising therefrom, shall give rise to any claim against the licensee or be deemed to be a breach of this LICENCE if such default, failure or omission, as the case may be, has occurred as a result of any **force majeure** such as political or administrative acts of recognized or **de facto** foreign States, act of God, act of enemies of the Republic of India, strikes, lock-outs, epidemics, frosts, accidents by fire or inundation or at sea, eruptions, earthquakes, landslips, etc.

19. Such matters as are not expressly provided in this LICENCE but determination whereof may be necessary in the course of performance of the functions or discharge of the obligations, shall be regulated in accordance with the directions or instructions of the Chief Commissioner and the licensee shall have no title, right or power to question such directions or instructions which shall be binding on Government and also on the licensee.

20. Provisions of this LICENCE shall also be subject to such laws as are for the time being in force in the Andaman and Nicobar Islands or as may be enacted hereafter by any competent authority.

21. If any dispute, differences, or question shall, at any time hereafter, arise between the licensee and Government or the persons claiming under them respectively on account of the breach or non-observance of any of the covenants, terms, conditions, stipulations or agreements herein contained or otherwise attaching or in any way relating to the construction meaning and effect of this LICENCE or any clause or thing herein contained, or as to any act done or omitted to be done under this LICENCE, or the rights, titles, powers, duties, obligations or liabilities of the licensee and Government respectively except and excluding, however, disputes, difference or questions, the decision whereof is otherwise expressly provided for in this LICENCE, such dispute, difference or question, as the case may be, shall be referred to the arbitration of an arbitrator nominated by the Chief Commissioner and the decision of such arbitrator shall be final and binding on the parties hereto :

PROVIDED that the provisions of the Arbitration Act, 1940 and of every statutory modification or re-enactment thereof and also of the rules made thereunder from time to time, shall apply to such arbitration and this deed shall be deemed to be a submission to arbitration.

PROVIDED ALSO that upon such reference to arbitration, the licensee shall, as far as reasonably possible, continue to comply with the terms and conditions of this LICENCE during the arbitration proceedings, and no payment due or payable by or to Government shall be withheld on account of such proceedings unless such payment is the subject-matter of arbitration.

ANNEXURE ABOVE REFERRED TO

Serial No.	Name of the article authorised for procurement, supply, distribution, and sale in the reserved area.	Margin of profit over the cost price permitted in fixing the selling price in case the article was purchased by the licensee at Port Blair.	Margin of profit over the cost price permitted in fixing the selling price in case the article was purchased by the licensee at any place in India except Port Blair.
I	II	III	IV
1.	Rice, Wheat and wheat - products purchased from open market.	9 $\frac{3}{8}$ per cent.	25 per cent.
2.	Rice, Wheat and wheat-products purchased from Government Stores.	As may be fixed by the Chief Commissioner from time to time.	As may be fixed by the Chief Commissioner from time to time.
3.	Fresh fruit and vegetables including onions and potatoes.	24 $\frac{3}{8}$ per cent.	40 per cent.
4.	Foodstuffs other than those specified at Serial Nos. 1, 2 and 3.	9 $\frac{3}{8}$ per cent.	25 per cent.
5.	Cloth and ready-made clothes.	do.	do.
6.	Tobacco, Cigarettes and Matches.	do.	do.
7.	Soap.	do.	do.

ANNEXURE — (Contd)

I	II	III	IV
8.	Kerosene oil.	9½ per cent.	25 per cent.
9.	Oilman's and Grocer's stores excluding every kinds of alcoholic preparations and other articles prohibited by the Chief Commissioner from time to time.	do	do
10.	General merchandise (subject to such exceptions as the Chief Commissioner may, from time to time, make).	do	do
11.	Stationery.	do	do
12.	Cutlery and utensils.	do	do
13.	Medicinal drugs and chemicals.	do	do
14.	Bicycles.	do	do
15.	Sewing Machines.	do	do
16.	Watches.	do	do
17.	Such other articles as may from time to time be authorised by the Chief Commissioner.	As may be fixed by the Chief Commissioner from time to time.	As may be fixed by the Chief Commissioner from time to time.

NOTE — In fixing the selling price of an article purchased by the licensees at Port Blair, such amount on account of freight and incidental expenditure as may, from time to time, be fixed by the Chief Commissioner, shall be permitted in addition to the margin of profit specified in column III.

Dated at Port Blair
the day of

19 .

Chief Commissioner,
Andaman and Nicobar Islands.

1	* Number of licence
2	Licensee's name, father's name, nationality and address (Other details in the case of a firm, company, etc.)
3	Details of the reserved area for which licence has been granted
4	Registered Nos. and description of boats and sea-worthy boats used, employed or engaged by the licensee in carrying on trade or business.
5	Date of grant of licence.
6	Period for which licence has been granted.
7	Challan No. and date of payment of the prescribed fee for the grant of licence.
8	Amount of security deposit, if any
9	Chalan No. & date of deposit of security, if any.
10	Date of refund of security, if any.
11	Date on which licence ceased to be valid.
12	Whether licence ceased to be valid on account of normal expiry or non-payment of Government dues or cancellation or otherwise.
13	REMARKS

* Each licence shall be given a separate number serially.

REGISTER OF LICENCES FOR TRADE OR BUSINESS GRANTED UNDER SUB-SECTION (1) OF SECTION 6 OF THE ANDAMAN AND NICOBAR ISLANDS (PROTECTION OF ABORIGINAL TRIBES) REGULATION, 1956.

(See Rule 10)

FORM G

T. G. N. AYYAR,
Chief Commissioner, A & N Islands.
[F. 1-89 (1) / 56-G]
G. P. 53/57.

OFFICE OF THE CHIEF COMMISSIONER
Andaman and Nicobar Islands

Dated at Port Blair, the 6th May '57.

NOTIFICATION

✓ No. 64/57.-Under Rule 14 of the Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Rules 1957, the Chief Commissioner, Andaman and Nicobar Islands, is pleased to direct that all licences granted under sub-section (1) of section 6 of the Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 before the commencement of the said Rules shall, until any corresponding provision is made under the said Rules, continue to be in force and valid subject to the terms and conditions of the said licences.

T. G. N. AYYAR
Chief Commissioner
Andaman and Nicobar Islands
[1-89(1)/56-G.]

✗ No. 1-89(1)/56-G.II Port Blair, the 6th May 1957.

Copy forwarded to the Foreman, Government Press, Port Blair, with the request that the above notification may please be published in the Andaman and Nicobar Gazette forthwith.

Advance copy forwarded for information to the Chief Conservator of Forests, Andaman and Nicobar Islands, and all Heads of local Offices including the Executive Engineer (Development Division).

By order,

Sd/-

Assistant Secretary
to the Chief Commissioner.

OFFICE OF THE CHIEF COMMISSIONER
Andaman and Nicobar Islands

Dated at Port Blair, the 6th May 1957.

NOTIFICATION

No. AN/PATR/9(1)/1.- In exercise of the powers conferred by sub-section (1) of section 9 of the Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 (Regulation No. 3 of 1956), the Chief Commissioner, Andaman and Nicobar Islands, is pleased to authorise each of the following officers to arrest without a warrant any person who has committed, or is suspected of having committed, any offence punishable under the said Regulation, namely :-

- (i) All police officers above the rank of a Constable.
- (ii) All members of the Bush Police Force under the administrative control of the Police and Forest Departments of the Andaman and Nicobar Islands.
- (iii) All officers of the Forest Department of the Andaman and Nicobar Islands not below the rank of a Ranger.

T. G. N. AYYAR,
Chief Commissioner,
Andaman and Nicobar Islands,
[1-89(1)/56-G.-]

* No. 1-89(1)/56-G.III Port Blair, the 6th May 1957.

Copy forwarded to the Foreman, Government Press, Port Blair with, the request that the above notification may Please be published in the Andaman and Nicobar Gazette forthwith.

Advance copy forwarded for information to the Chief Conservator of Forests, Andaman and Nicobar Islands, and all Heads of local Offices including the Executive Engineer (Development Division).

By order,

Sd/-
Assistant Secretary
to the Chief Commissioner.

ANDAMAN AND NICOBAR ADMINISTRATION
CHIEF COMMISSIONER'S SECRETARIAT

NOTIFICATION

Port Blair, the 5th December 1960/14th Agrahayana 1882.

No. 274/60/150-5/60-G.—In exercise of the powers conferred by section 10 of the Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 (Regulation No. 3 of 1956), the Chief Commissioner, Andaman and Nicobar Islands, is pleased to direct that the following amendments shall be made in the Andaman and Nicobar Island (Protection of Aboriginal Tribes) Rules, 1957.

AMENDMENTS

For the existing rule 2 of the said Rules, the following shall be substituted, viz:—

2. DEFINITIONS:—In these Rules, unless the context otherwise requires,—
 - (a) "Deputy Commissioner" except in sub-rule (2) of rule 13 includes an officer authorised by him under Section 7 to grant passes;
 - (b) "Form" means a Form prescribed in the Schedule appended to these rules;
 - (c) "General trade or business" means the trade or business covered by the licence in Form "F";
 - (d) "licence" means a licence granted in Form "F" or in Form "H" by the Chief Commissioner under Sub-section (1) of Section 6 to carry on in any reserved area general trade or business, or miscellaneous trade, as the case may be;
 - (e) "licensee" means a person, or a body of individuals including a member or members of an aboriginal tribe, to whom a licence has been granted;
 - (f) "person" does not include a member of an aboriginal tribe;
 - (g) "Miscellaneous Trade" means the following:—
 1. Works relating to P.W.D. and I.A.F. contracts;
 2. Stevedoring;
 3. Sale of timber;
 4. Import and Export trade; and
 5. Such other trade as may from time to time be specified by the Chief Commissioner.
 - (h) "prescribed fee" in respect of any document or act means the fee payable thereon or therefore under rule 11;
 - (i) "Regulation" means the Andaman & Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 (Regulation No. 3 of 1956);
 - (j) "Section" and "Sub-section" respectively mean a section of the Regulation and a Sub-section of a section of the Regulation; and
 - (k) "year" means a financial year.

(2) For the existing rule 7 of the said Rules, the following shall be substituted, namely:—

7. APPLICATION FOR LICENCE : Every application for grant of a licence shall be in Form "E" or in Form "G" as the case may be.
- (3) In rule 9 of the said Rules for the words "Shall be in Form "F" " substitute the words "Shall be in Form "F" or in Form "H".
 - (4) In the existing rule 10 of the said Rules for the words "Form" "G" substitute the words "Form 'I'".

(5) For the existing rule 11 of the said Rules, the following shall be substituted namely :—

11. FEES FOR PASSES AND LICENCES: No pass or licence shall be granted unless the fee in respect thereof as indicated below has been paid to Government, namely :—

DETAILS OF PASS, ETC.	RATE OF FEE
1. A pass to be granted for a period not exceeding one month ...	Re. 1/-
2. A pass other than a pass specified at item (1) above ...	Rs. 5/-
3. Renewal of pass ...	The same fee as for the original grant of a pass.
4. A licence for general trade or business ...	Rs. 500/-
5. A licence for miscellaneous trade ...	Rs. 500/-

(6) In sub-rule 1 of rule 12 after the words "a licensee" insert the words "holding a licence in Form 'F'".

(7) In Forms 'E' and 'F' appended to the said Rules for the words "trade or business" wherever they occur substitute the words "general trade or business".

(8) For the existing sub-clause (c) of clause 2 of the statement of terms and conditions mentioned in Form 'F' appended to the said Rules substitute the following :—

C. (i) work as the stevedore for cargo in the said reserved area and the ports of Car Nicobar and Camorta and provide sufficient labour and other efficient facilities for loading, unloading and stacking of such cargo on payment of such rates or charges as may from time to time be fixed by the Chief Commissioner ;

(ii) provide necessary embarkation and disembarkation facilities to all passengers between the ships in anchorage and shore and vice-versa in the said reserved area and at the ports of Car Nicobar and Camorta on payment of such rates or charges as may from time to time be fixed by the Chief Commissioner.

(9) The existing Form 'G' appended to the said Rules shall be deleted.

(10) The enclosed Forms shall be appended to the said Rules as Form 'G', 'H' & 'I'.

By order,

B. B. SRIVASTAVA,

Asst. Secretary to the Chief Commissioner