

THE ANDAMAN & NICOBAR ISLANDS REGISTRATION OF TOURIST TRADE REGULATIONS 2009

PROMULGATED BY THE PRESIDENT IN THE 58TH YEAR OF THE
REPUBLIC OF INDIA

A regulation to provide for the registration of persons dealing with tourists
and matters connected therewith.

In exercise of the powers conferred by Article 240 of the constitution, the
President of India is pleased to promulgate the following Regulation made by
him:-

PRELIMINARY

1. Short title, extent and commencement:-

- i) This Regulation may be called the Andaman & Nicobar Registration of Tourist Trade Regulation, 2009.
- ii) It shall extend to the whole of the Union Territory of Andaman & Nicobar Islands.
- iii) It shall come into force on such date as the Lieutenant Governor, Andaman & Nicobar may, by notification in the official Gazette, appoint.

2. Definitions:- In this Regulations, unless the context otherwise requires:-

- a) 'Boat' includes a house-boat, motor-boat, motor launch, pedal boat, sailing boat and canoe exclusively for tourism purpose;
- b) 'Certificate' means a certificate of registration issued under any of the provisions of this Regulations;
- c) 'Dealer' means a person carrying on in a tourist area the business of selling any notified article, whether whole sale or retail, and includes his agent or employee transacting business on his behalf;
- d) 'Lieutenant Governor' means the Lieutenant Governor (Administrator) of Andaman & Nicobar Islands appointed under article 239 of this constitution.
- e) 'Hotel' includes any premises or part of premises including a house-boat, restaurant, bar or tent where lodging with or without board or any kind of eatables or beverages is provided for monetary consideration;
- f) 'Hotel keeper' includes any person who owns or operates a hotel as proprietor and includes a person managing or operating the affairs of a hotel for and on behalf of the proprietor;

- g) 'Malpractice' includes cheating, touting, impersonation, obstruction in allowing free choice for shopping or stay or travel management, charging a price higher than that displayed on the label or remuneration higher than that fixed under this Regulation, failure to display price label on the articles, failure to give cash memos and willful failure to execute an order within the stipulated time and according to the terms agreed.

Explanation 1; - For the purpose of this clause, labeled price (the price displayed on the label on the article) shall be the reasonable price with numbers recorded on each label of each item reflected in the stock books of dealer or manufacturer maintained at their places of business which shall be open for inspection by the buyer of the item or by the prescribed authority.

Explanation 2;- The expression 'touting' means coercing for shopping , accommodation, transportation, sight seeing or pestering for any particular premises, person, establishment manufacturer or any other services connected with the tourism with consideration of personal benefit;

- h) 'Notified article' means any article notified by the Lieutenant Governor in the official Gazette for the purpose of this Regulation:
- i) 'Part' means a part of this Regulation.
- j) 'Prescribed' means prescribed by rules made under this Regulation;
- k) 'Prescribed authority' means the authority notified as such by the Administration provided that different authorities may be notified for different provisions of this Regulation;
- l) 'Black list' means the list of dealers, hotel keepers or travel agents black listed under the provisions of this Regulation and maintained by prescribed authority and exhibited at the places as may be prescribed.
- m) 'Guide' means a person who engages himself as a paid guide for tourists. Provided that no person shall be eligible to be registered as guide unless he possesses such qualifications as may be prescribed. Provided further that notwithstanding any prescribed qualifications the persons who are working as guides before the commencement of this Regulation shall ipso facto be registered as such guides.
- n) 'Tourist area' means any area notified by the Lieutenant Governor in the official Gazette to be a tourist area for the purpose of this Regulations;
- o) 'Tourist' means a person or a group of persons including pilgrims visiting the Union Territory of Andaman & Nicobar Islands from any part of India or outside India and includes a traveler or a group of persons visiting a particular area from any other part of the Union Territory.
- p) 'Travel agents' means a person engaged in the business of making travel, camping diving, water sports, trekking, tour operating or other travel arrangements for tourists for a monetary consideration and include a tourist guide, excursion agent, tent and camping agent or tour operators;

- q) 'Travel arrangements' include-
- a) arrangement for transportation, sight seeing;
 - b) arrangements for lodging with or without food; and
 - c) rendering other services, such as assistance for games, sports or receipt or dispatch of personal belongings of tourists.
- r) 'Administration' means the Andaman & Nicobar Administration.

CHAPTER –II

REGISTRATION OF DEALERS

3. Registration:

- (1) Every person intending to carry on business of a dealer under this regulation shall, before the commencement of such business, apply for registration to the prescribed authority in the prescribed manner;
- (2) Notwithstanding anything contained in sub-section (1), any person already carrying on business of selling any notified article in a tourist area on the date such article is notified under clause (h) of section 2 shall apply for registration within three months from the aforesaid date.
- (3) Every application made under sub-section (10) shall be disposed of within a period of three months from the date of receipt of the application failing which the application shall be deemed to have been accepted for registration.

4. **Certificate of Registration:** The prescribed authority shall, unless registration is refused under section, 5 direct that the name and the particulars of the dealer be entered in the register maintained for the purpose and shall issue a certificate to the dealer in the prescribed form within a period of three months from the date of receipt of the application.

5. **Refusal to register:-** (1) The prescribed authority may refuse to register a dealer under this regulation on any of the following grounds, namely:-

- (a) If he is convicted of any offence under Chapters XIV and XVI of the Indian Penal Code, 1860 or under any of the provisions of this Regulations, or any offence punishable under any law providing for the prevention of hoarding, smuggling or profiteering or adulteration of food and drugs, or corruption and two years have not elapsed since the termination of the sentence imposed upon him or involvement in any cognizable offence.
- (b) If he has been declared insolvent by a Court of Competent jurisdiction and has not been discharged;
- (c) If his name has been removed from the register under clause (c) (d) of the section 6 and one year has not elapsed since the date of removal;

- (d) If in the opinion of the prescribed authority there is sufficient ground to be recorded in writing, for refusing registration.
- (2) No application for registration shall be refused unless the person applying for registration has been offered a reasonable opportunity of being heard.
- (3) Director (Tourism) should get the antecedents, general reputation and character verified before grant of license.

6. Removal of the name from the Register:- (1) The prescribed authority may after affording a reasonable opportunity of being heard, by an order in writing, remove the name of a dealer from the register and cancel his certificate on any of the following grounds, namely:

- (a) If he ceases to be a dealer;
- (b) If he is convicted of any offence under Chapter XIV and XVI of the Indian Penal Code, 1860 or under any of the provisions of this regulation or of any offence punishable under any law providing for the prevention of hoarding, smuggling or profiteering or adulteration of food or drugs or corruption or involved in any cognizable offence.
- (c) If he is declared an insolvent by a court of competent jurisdiction and has not been discharged;
- (d) If any complaint of malpractice is received and proved against him.
- (e) If he is black-listed by the prescribed authority under section 7.
- (2) Any dealer whose name is removed from the register under sub-section (1) shall forthwith cease to be a dealer.

7. Black-listing of dealers:-

- 1) The prescribed authority may, on a complaint of malpractice having been proved or for any other offence committed under this Regulation, for reasons to be recorded, black-list a dealer after taking into consideration the nature of malpractice or the gravity of offence, for such period as the prescribed authority, deems fit.
- 2) The particulars of a dealer black-list shall be exhibited at conspicuous places in all tourist areas and notified to all travel, trade and concerned organizations, foreign mission in India, Indian missions abroad and other important concerned channels after the order black-listing him has become final.
- 3) The action taken under sub-section (1) shall not provide such dealer from being prosecuted under the provisions of this Regulation.
- 4) If the prescribed authority is satisfied that there are sufficient grounds for removal of a dealer from the black-list, it may, after

recording the reasons, order his removal from such list and issue a fresh certificate of registration on payment of prescribed fee and notify the same for the information of all concerned.

- 8. Notice of removal and black-listing of dealer:-** Before removing the name of dealer from the register under section 6 or black-listing it under section 7, the prescribed authority shall give a notice to the dealer of the grounds or grounds on which it is proposed to take action and hold and inquiry in the presence of the dealer giving him a reasonable opportunity of showing cause against it.

CHAPTER-III

REGISTRATION OF HOTELS

9. Registration:

- (1) Every person intending to operate a hotel in a tourist area shall before operating it, apply for registration to the prescribed authority in the prescribed manner.
- (2) Notwithstanding anything contained the sub-section (1), any person already operating a hotel in tourist area on the date of notification under clause (k) of section, 2 shall apply for registration within three months from the aforesaid date.
- (3) Every application made under sub-section (1) shall be disposed of within a period of three months from the date of receipt of the application failing which the application shall be deemed to have been accepted for registration.

10. Certificate of Registration: -

The prescribed authority shall unless registration is refused under section – II , direct that the name and the particulars of the hotel keeper be entered in the register maintained for the purpose and shall issue a certificate to the hotel keeper in the prescribed form .

11. Refusal to register a hotel :

- (1) The prescribed authority may refuse to register a hotel under this regulation on any of the following grounds namely :-
 - (a) If the Hotel / Resort do not have the minimum basic facility like room/ cottage with adequate space necessary fixture and furniture and attached toilet.
 - (b) If the hotel keeper is convicted of any of the provisions of this Regulation or of any offence punishable under any law providing for the prevention of hoarding , smuggling or profiteering or adulteration of food or drugs or corruption and two years have not elapsed since the termination of the sentence imposed upon his involvement in any cognizable offence .

- (c) If the hotel keeper has been declared an insolvent by a court of competent jurisdiction and has not been discharged,
 - (d) If the name of the hotel keeper has not been removed from the register under clause (c) or clause (d) of section 12 and one year not elapsed since the date of the removal ,
 - (e) If the hotel keeper does not hold a license or certificate required to be held by him under any law for the time being in force;
 - (f) If the hotel keeper doesn't adhere to the bye-laws of Municipal Council or other local self government bodies, regarding construction of building and sale of food.
 - (g) The owner of the building does not possess a No objection certificate from Chief Fire Officer, A&N Islands.
 - (h) If in the opinion of the prescribed authority there is sufficient ground, to be recorded in writing, for refusing registration.
- (2) (a) No application for registration shall be refused unless the person applying for registration has been afforded a reasonable opportunity of being heard.
- (b) Director (Tourism) should get the antecedents general reputation and character verified by the police.

12. Removal of the name from the Register:-

- (1) The prescribed authority may after giving an opportunity of being heard by an order in writing, remove the name of a hotel from the register and cancel its certificate on any of the following grounds namely :
- (a) If the hotel keeper ceases to operate the hotel in the tourists area for which it is registered ;
 - (b) if the hotel keeper is convicted of any offence under Chapter XIV and XVI of the Indian Penal code, 1860 or under any of the provisions of this Regulation of any offence punishable under any law providing for the prevention of hoarding, smuggling or profiteering or adulteration of foods or involvement in any cognizable offence or violation of foreign exchange regulations or foreign contribution regulations or the possession or sale of any narcotic drugs of (psychotropic) substances or corruption.
 - (c) If the hotel keeper is declared an insolvent by a court of the competent jurisdiction and has not been discharged.
 - (d) If any complaint of malpractice is received and proved against the hotel –keeper.
 - (e) Registration is also liable for cancellation by the registering authority at any time if he is of the view that the continuance of the eating house will cause obstruction, inconvenience,

annoyance, risk danger to the property of the residents or the persons observing/keeping/managing the eating house for illegal/anti-social activities.

(f) If the hotel is black- listed under section 13.

(g) If the premises of the hotel is not kept neat and tidy (free from deposit of garbage in and around) in spite of notice issued by the Registering Authority.

(h) Any hotel, the name of which is removed from the register under:- section(1), shall forthwith cease to operate.

13. Black listing of hotels:

1. The prescribed authority may, on a complaint or malpractice having been proved or for any other offence committed under this Regulation, for reasons to be recorded, black-list a hotel after taking into consideration the nature of malpractice or the gravity of offence, or such period as the prescribed authority, deems fit.
2. The particulars of a black-listed hotel shall be exhibited at conspicuous places in all tourist areas and all the travel agents, dealers and hotel keepers, foreign missions in India, Indian missions abroad shall be given a copy thereof and they may be requested to affix the same at a conspicuous place in the place of business or as the case may be, on the notice board of their offices.
3. The action taken under sub-section (1) shall not protect such hotel keeper from being prosecuted under the provision of this Regulation.

14. Notice of removal and black- listing of hotel :

Before removing the name of a hotel from the register under section 12 or black-list it under section 13, the prescribed authority shall give a notice to the hotel-keeper of the grounds on which it is proposed to take action and hold an inquiry in the presence of the hotel-keeper giving him a reasonable opportunity of showing cause against it.

15. Classification of hotels and fixation of rates:

The prescribed authority may after following the procedure as may be prescribed and after giving an opportunity of being heard to the hotel-keeper, by notification in the official Gazette, classify the hotels and award a grade to each and also fix the reasonable maximum rate and the service charges, if any, commensurate with the standard of the hotel and the quality of food, accommodation and service, which may be charged by the hotel-keeper for board or lodge or for both from the person staying therein or from other customers.

Provided that nothing in this section shall apply to the hotels which are classified or graded by the Govt. of India or any Board or Authority under the Govt. of India or under an Act of Parliament.

16. **Hotel-keeper to display information:-** Every hotel-keeper shall cause to be displayed at some conspicuous place of the hotel(lobby/reception), such information as may be prescribed.
17. **Hotel-keeper to furnish information of foreigners staying and present detailed bill:-**
1. Every hotel-keeper shall render detailed bills to the persons residing in the hotel and other customers and shall give receipts in acknowledgement of all payments.
 2. It shall be the statutory duty of the hotel keepers to inform - Director(Tourism)/Police Department about the arrival and departure of the foreigners in their respective hotels/lodges in the prescribed Performa laid down. They would also present relevant hotel register for inspection on demand by Police Officers of the rank of Sub-Inspector and above/and officer of Tourism so deputed.
 3. It shall also be ensured by Hotel keepers that foreigners or local tourist staying with them are not deputed for Scuba diving or any other water sports activity in an unauthorized manner.

CHAPTER-IV

REGISTRATIN OF SCUBA DIVE CENTRE

18. **Registration:-**

- (1) Every person intending to operate a Scuba Dive Centre in a tourist area shall before operating it, apply for registration to the prescribed authority in the prescribed manner.
- (2) An Indian or a foreigner who is carrying out dive operations within the permitted area in Andaman and Nicobar Islands shall register themselves with the Directorate of Tourism, Andaman and Nicobar Administration.
- (3) Every application made under sub-section (1) shall be disposed of within a period of three months from the date of receipt of the application failing which the application shall be deemed to have been accepted for registration.

19. **Certificate of registration:-** The prescribed authority shall unless registration is refused under section 18, direct that the name and the particulars of the scuba diving operator be entered in the register maintained for the purpose and shall issue a certificate to the Scuba Diving operator in the prescribed form.

20. **Refusal to Register a Scuba dive center:-**

1. The prescribed authority may refuse to register a Scuba Dive Centre under this regulation on any of the following grounds namely:-
 - a) If any foreign scuba diving operators do not obtain “RAP” (Restricted Area Permit) from the Ministry of Home Affairs, Government of India and intimate about it to the Directorate of Tourism before undertaking diving activities in the Islands..
 - b) If the Scuba Diving operators do not have permanent office and do not display the rate cards for diving activities. A copy of the rate should be submitted to the Directorate of Tourism.
 - c) If the diving operators/centers do not ensure that all those who undergo diving activities have undertaken insurance cover. They would also bear any cost to be incurred in case of any rescue or medication during emergency.
 - d) If the dive centre does not have on its staff at least one “Dive Instructor” means a person who is certified by internationally recognized agency like PADI, CMAS, NAUI, BASC and SSI.
 - e) If the dive centre does not use the boats for scuba diving surveyed by M.M.D/Engineer and Ship Surveyor and registered by Deputy Commissioner (Andamans) under M.S./I.V. Act(as the case may be) and for operations in Protected Areas if these boats does not have the permission of the Chief Wildlife Warden.
 - f) If the Dive Centre/operator does not possess a certificate of pressure testing from an authorized testing centre every three years or as per rules of the Government of India regarding high pressure cylinders. If the Scuba Dive operator uses tankers more than twelve years after the date of manufacture.
 - g) If the Scuba Dive Operator does not have “Safety Staff” at the base station for all the sea dives.

21. Removal of the name from the Register:-

- 1) The prescribed authority may, after giving an opportunity of being heard by an order in writing, remove the name of the Dive from the register and cancel its certificate on any of the following grounds namely:
 - a) If the Scuba Dive Operators ceases to operate the Scuba Dive Centre in the tourists area for which it is registered or ceases to be scuba Dive Centre for not complying the provision of section 20.
 - b) If the Scuba Dive operator does not comply with the terms and conditions/guidelines as may be specified by Directorate from time to time or
 - c) If the dive centre does not have a minimum of six diving sets which includes tank, regulator with pressure gauge, depth

meter and dive watch or deco-computer, mask, snorkel, fins, buoyancy compensating jacket, quick release weight belt and alternate air source.

- d) If the Scuba Dive operators take tourist beyond the notified areas as specified by the Directorate of Tourism and the Dive Centre Operators.
- e) If the Scuba Dive Centre does not use specified compressor oil, air purifier filters not been changed as per guidelines of compressor manufacturer and filter change not entered in compressor book along with number of cylinders filled during this period.
- f) If Scuba Dive operator does not maintain proper records of the tourists/ guests who come for diving activities and the receipts of the fees charged from them in the manner as may be prescribed by the Directorate of Tourism.
- f) If Scuba Dive Operators undertake underwater photography without the permission of the prescribed authority.
- g) If the Dive Operator does not abide by the guidelines for safe operations and Environment protection that will be issued by the Andaman & Nicobar Administration or National Institute of Water Sports on behalf of Ministry of Tourism from time to time.
- h) If Scuba Dive Operator does not carry dive flag, oars, flares, first aid kit, walkie-talkie & medical oxygen set.

22. Black Listing of Scuba Dive Operators:-

1. The prescribed authority may, on a complaint or malpractice having been proved or for any other offence committed under this regulations, for reasons to be recorded, black-list a Scuba Dive Operators after taking into consideration the nature of malpractice or the gravity of offence, or such period as the prescribed authority, deems fit.
2. The particulars of a black-listed Scuba Dive Operator shall be exhibited at conspicuous placed in all tourist area and all the travel agents, dealers and hotel keepers, foreign missions in India, Indian mission abroad shall be given a copy thereof and they may be requested to affix the same at a conspicuous place in the place of business or as the case may, be notice board of their offices.
3. The action taken under sub section (1) shall not protect such Scuba Dive Operator from being prosecuted under the provisions of this Regulation.

23. Notice of removal and black listing of Scuba Dive Centre :

Before removing the name of a scuba Dive Centre from the register under section 12 or black list it under section 13, the prescribed authority shall give a notice to the Scuba Dive Operator on which it is proposed to take action and hold an inquiry in the presence of the

Scuba Dive Operator giving him a reasonable opportunity of showing cause against it.

24 **Fixation of rates**: The Prescribed authority may after following the procedure as may be prescribed and after giving an opportunity of being heard to the Scuba Dive Operator, by notification in the official Gazette, classify the Scuba Dive Centre as certified Scuba Dive Centre and also fix the reasonable maximum rate and service charges if any commensurate with the standard of the Scuba Dive Centre.

CHAPTER V

REGISTRATION OF TRAVEL AGENTS

27. Registration:-

1. No person shall carry on the business of a travel agent unless he is registered in accordance with the provisions of this Regulation.
2. Every person intending to act as a travel agent shall, before he commences to act as such, apply for registration to the prescribed authority in the prescribed manner.
3. Notwithstanding anything contained in sub-section (2), any person already engaged in the business as a travel agent, shall apply for registration within three months from the date of commencement of this Regulation.
4. Every application made under sub-section (2) shall be disposed of within a period of three months from the date of receipt of the application failing which the application shall be deemed to have been accepted for registration.

28. Certificate:- The prescribed authority shall, unless registration is refused under section 20, direct that the name and particulars of the travel agent be entered in the register maintained for the purpose and issue a certificate to the travel agent in the prescribed form.

29. Refusal to register:-

1. The prescribed authority may refuse to register a travel agent under this Regulation on any of the following grounds, namely:-
 - a) If he does not possess any of the prescribed qualifications, namely:
 - i. Degree from recognized university or
 - ii. Degree/Diploma from a recognized Institution, relating to Tourism and Travel Studies ,or
 - iii. Previous experience as travel agent for three years.
 - b) If he has been convicted of any offence under chapter XIV and XVI of the Indian Penal Code, 1860 or under any of the provisions of this regulation or for any offence punishable under any law including that providing for the prevention of hoarding, smuggling or profiteering or adulteration of food or drugs or corruption and two years have not elapsed since the termination of the sentence imposed him or is involved in any cognizable offence.
 - c) If he has been declared an insolvent by a Court of competent jurisdiction and has not been discharged;
 - d) If his name has been removed from the register under clause (c) or clause(d) of section 21 and one year has not elapsed from the date of removal;

- e) If in the opinion of the prescribed authority there is sufficient ground, to be recorded in writing, for refusing registration.
2. a) No application for registration shall be refused unless the person applying for registration has been afforded reasonable opportunity of being heard.
- b) Director (Tourism) should get the antecedents, general reputation and character of applicants verified.

30. Removal of the name from the register:-

1. The prescribed authority may, after giving an opportunity of being heard, by an order in writing, remove the name of a travel agent from the register and cancel his certificate or nay of the following grounds namely:-
- a) If he ceases to act as a travel agent;
 - b) If he is convicted of any offence under Chapter XIV and XVI of the Indian Penal Code, 1860 or under any of the provision of this Regulations or of any offence punishable under any law providing for the prevention of hoarding, smuggling or profiteering or adulteration of foods or drugs or corruption, or involved in any cognizable offence.
 - c) If he is declared an insolvent by a court of competent jurisdiction and has not been discharged;
 - d) If any complaint of malpractice is received and proved against him.
 - e) If he violates any provision of Acts or Rules in vogue in these islands including Indian Forest Act 1927, Wildlife (Protection) Act, 1972, Forest (Conservation) Act, 1980, Environment (Protection) Act, 1986 and rules made there under and provisions of Coastal Regulation zone notification 1991 amended from time to time.
 - f) If he is black-listed by the prescribed authority under section 22.
2. Any travel agent whose name is removed from the register under sub-section (1) shall forth with cease to be travel agent.

31. Black-listing of travel agents:

- 1) The prescribed authority may, on a proof of any complaint of malpractice or for any other offence committed under this Regulation, for reasons to be recorded, black-list a travel agent after taking into consideration the nature of malpractice or the gravity of offence, for such period as the prescribed authority deems fit.

- 2) The particulars of a travel agent black-listed shall be exhibited at conspicuous places and notified to all travel, trade and concerned organizations, foreign missions in India, Indian missions abroad etc.
- 3) The action taken under sub-section (1) shall not protect such travel agent from being prosecuted under the provisions of this Regulation.
- 4) If the prescribed authority is satisfied that there are sufficient grounds for removal of a travel agent from the black-list, it may, after recording the reasons, order his removal from such list and issue a fresh certificate of registration on payment of prescribed fee and notify the same for the information of all concerned.

32. Notice of removal and black-listing of Travel Agent:-

Before removing the name of a travel agent from the register under section 21 or black-listing it under section 22, the prescribed authority shall give notice to the travel agent of the ground or ground on which it is proposed to take action, and hold an inquiry in the presence of that person giving him a reasonable opportunity of showing cause against it.

33. Fixation of rates:-

The prescribed authority may be charged official Gazette, fix the reasonable maximum rates which may be charged by a travel agent for the service rendered by him to a person engaging him as such.

34. Travel agent not to demand tip, etc:- No travel agent, owner/driver of taxi, three wheelers and contract carriage shall demand any tip, gratuity, presents or commissions other than that permissible under this Regulation from any persons engaging him or from any dealer selling notified article to any persons or from any hotel-keeper in whose hotel such person resides or intends to reside.

CHAPTER-VI
APPEAL AND REVISION

35. Appeal:

- 1) Subject to the provisions of sub-section(2) an appeal shall lie from every order of the prescribed authority or any Police official not below the rank of Asst. Sub-Inspector or any Tourism official so empowered by the Director(Tourism) under this Regulation to the appellate authority to be appointed by the Lieutenant Governor.
- 2) Every such appeal shall be preferred within ninety days from the date of communication of the order;
- 3) Every appeal shall be accompanied by such fees as may be prescribed and the original or an attested copy of the order appealed against.
Provided that the appellate authority may entertain the appeal after the expiry of the said period of ninety days if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal in time.
- 4) The appellant shall have a right to be represented by a counsel or by a duly authorized agent and the prescribed authority may be represented by such officer or person as the prescribed authority may appoint.
- 5) On receipt of any such appeal, the appellate authority shall after giving the appellant a reasonable opportunity of being heard and after making such enquiry as it deems proper, pass such order as it may deem fit, after appeal for reasons to be recorded.
- 6) The proceeding before the appellate authority shall be completed with in four months of its institution.

36. Revision:- The Revision Authority to be appointed by the Lieutenant Governor may, either on his own motion or on an application made by an aggrieved party, call for the records of any case disposed of by te Appellate Authority, for the purpose of satisfying itself as to the correctness legality or propriety of any order passed by the Appellate Authority and pass such order thereon as it may deem fit and such order shall be final;

Provided that no such records shall be called for after the expiry of three months from the date of communication of the order;

Provided further that no order under this section shall be made to the prejudice of a person unless he has had a reasonable opportunity of being heard either personally or through a counsel or by a duly authorized agent.

CHAPETER-VII

OFFENCES AND PENALTIES

37. **Penalty for default in registration**:- 1) Any person carrying on the business of a dealer, hotel-keeper, travel agent, scuba dive centre, without proper registration under this Regulation or in violation of any of the provisions of this Regulation or the Rules made there under shall be punishable by the prescribed authority with fine which may be extended up to Rs 20,000/- or sealing of the business premises and confiscation of equipment or both .

Explanation:- A person who has made an application within the prescribed period and which is pending disposal shall not be a defaulter for the purpose of this section.

38. **Penalty for false statement**:- If any person required to make a statement under this Regulation or the Rules made there under, willfully makes a false statement or suppresses a material fact with an intention to mislead the prescribed authority, shall be punishable by the prescribed authority with fine which may extend to Rs 20,000/-

39. **Certificate not to be assigned** : Any person who lends /transfers or assigns the certificate of registration issued under this regulation, shall be liable to punishment with imprisonment which may extend to 6 months or with fine not exceeding Rs 10,000/- or with both.

40. Certificate and documents to be shown to person on demand :

1} Any person registered under this Regulation , shall at all times on demand , produce and show his certificate or any other document required under this Regulation or the Rules made there under to the prescribed authority or any officer authorized by him in this behalf.

2. Any person who refuses on demand to show his certificate or document , or allow it to be read by any of the persons authorized to demand it, shall be punishable by the prescribed authority with fine not exceeding Rs 10,000/-.

41. Penalty for malpractice:

(a) If any dealer, hotel keeper, travel agent, scuba dive centre or any other persons to whom this Regulation may be made applicable, commits a malpractice or contravenes any other provision of this Regulation or the Rules made there under in a tourist area, for which no specific penalty has been provided, he shall be punishable by the prescribed authority with three months imprisonment or with minimum fine of Rs 10,000/- which may extend to Rs 20,000/-.

(b) Hawking/selling of things on the beaches/ tourist places causing disturbance to tourists and causing harm to the natural beauty of

the tourist places shall be punishable by the prescribed authority with fine which may extend to Rs 500/-.

- (c) Organizing Scuba Diving without qualifying the safety and quality norms / regulations prescribed by the Govt. of India and the A&N Administration shall be punishable by the prescribed authority with fine which may extended to Rs 10,000/-.

42. Obstructing lawful authorities:-

If any person willfully obstructs or offers any resistance to, or otherwise interferes in the discharge of the functions of the prescribed authority or any officer configured or imposed up on it or him by or in pursuance of this Regulation or the rules made there under, he shall be liable to punishment with imprisonment which may extend to three months or with fine not exceeding Rs 10,000/- or with both.

43. Penalty for subsequent breaches :-

- 1) Any person committing a breach of any of the provision of the Regulation or the rules made there under for which he has been once punished with fine by the prescribed authority under nay of the provisions of this chapter, shall be punishable with imprisonment which may extend to six months or with minimum fine of Rs 1,000/- which may extend to Rs,10,000/- or with both.
- 2) No prosecution shall be instituted against any person for any offence under this Regulation except a complaint made by the prescribed authority.
- 3) Any fine imposed under this Chapter shall be recovered as if it were a fine recoverable under the provisions of the code of Criminal Procedure, 1973(Central Act, 2 of 1974).

44. Authority to compound the offences :-

Any officer of the department of Tourism of the rank of Tourist information Officer, or above or any police Officer/ Tourist police officer of the rank of Assistant Sub-Inspector and above, is authorized to compound any offence which is punishable under the regulation other than offences under section 42 of this regulation by accepting penalty under due/proper acknowledgement .

45. Offences to be tried summarily : Notwithstanding anything in this Regulation or in the Code of Criminal Procedure 1972 all offences under this Regulation shall be tribal summarily.

46. Special Rule of Evidence : Notwithstanding anything contained in the Evidence Act, 1872, when any complaint under this Regulation is made in writing by any person to the prescribed authority may be admitted in evidence and the examination of the complaint shall not be obligations in trial by a judicial Magistrate if such person cannot be found or is incapable of giving evidence .

47. Power of the prescribed authority to summon and enforce attendance of witness and other persons:-

The prescribed authority shall have the powers of a civil court, under the civil procedure Code , 1908 while hearing any application under this Regulation in respect of the following matters namely :-

- (a) Summoning and enforcing attendance of the complainant or the persons against whom complaint is made under this Regulation and witness required in connection therewith;
- (b) Compelling the production of any document, and
- (c) Examining witness on oath, and may summon and examine suo motto any person whose evidence appears to be material.

48. Composition of offences :

- 1) The prescribed authority may accept from any person accused of an offence under this Regulation a sum of money not below one thousand rupees, by way of composition of such offence and may out of money so received compensate the person against whom the offence have been committed to the extent the prescribed authority deems reasonable .
- 2) On the composition of the offence, no further proceeding in respect thereof shall lie.

CHAPTER VIII

MISCELLANEOUS

49. Notification of charges:

- 1. Whenever a business, for which a certificate is held by a person devolves, by inheritance or otherwise, upon any other persons of undergoes a change in respect of any particulars entered in the register under this Regulation such person shall, within sixty days of the date of such devolution or change, notify in writing, the fact to the prescribed authority.
- 2. The prescribed authority shall make necessary changes in the register, maintained for the purpose and in the certificate.
- 3. Not withstanding anything contained in subsection (2) the prescribed authority may after giving an opportunity of being heard, remove from the register the name of the person in whose favour the certificate was issued and cancelled certificate if the successors is not qualified to be registered under this regulation.

50 . Return of certificate:- When a certificate is cancelled under this Regulation, the person holding such certificate shall within seven days from the date of communication of the order of cancellation return it to the prescribed authority.

51. **Duplicate Certificate**:- If a certificate issued under this Regulation is lost, damaged or destroyed, the prescribed authority shall, on an application made in that behalf by the person holding such certificate and on payment of the prescribed fee, issue a duplicate certificate.
52. **Certificate to be kept exhibited**: - The certificate shall be exhibited by the person holding it in a conspicuous place at the principal place of his business (reception/lobby) and if he has no place of business, he shall keep it on his person.
53. **Publication of name of person removed form the register**:-The prescribed authority shall publish in the official Gazette and in such other manner as it deems fit, the names and address of the person and of the hotels whose names has been removed from the register or whose certificate have been cancelled or who have been refused registration in this Regulation.
54. **Power to inspect**:- The prescribed authority or any person authorized by him in this behalf may, within the tourist area, inspect at all reasonable time, the premises in which a dealer or a travel agent carries on his business or any premises where hotel is operated and require such dealer, travel agents or a hotel-keeper to produce any document kept in pursuance of this Regulation or the Rules made there under for inspection.
55. **Fixation of rates for other services**:- The prescribed authority may by a notification in the official Gazette, fix the reasonable maximum rates which may be charged in a tourist area, for such other tourist service, as may be prescribed.
56. **Power of Lieutenant Governor to apply Regulation to other persons**:- The Lieutenant Governor may, by notification in the official Gazette, direct that all or any of the provisions of this Regulation or the rules made there under shall, with such exceptions, adoptions or modifications as may be considered necessary, apply to persons doing the business of providing such tourists service in a tourist are as may be prescribed.
57. **Powers and duties of Police in respect of offences and assistance to prescribed authority**:-
1. No person shall, without permission from the person or authority concerned, efface, mutilate or disfigure or otherwise destroy or cause any damage to any sign board situated within a tourist area.
 2. Whoever contravenes any of the provisions of sub-section(1) shall be punishable with a fine which may extend to Rs 1,000/-
 3. Every Police Officer/Tourist Police Personnel shall give immediate information to the prescribed authority of an offence coming to his knowledge which has been committed against this Regulation or any Rules made there under and shall assist the prescribed authority in the exercise of his lawful authority.

58. Indemnity:- No suit, prosecution or other legal proceedings what so ever shall lie against the Lieutenant Governor or any officer or employee of the Administration in respect of anything which is in good faith done or intended to be done under this Regulation.

59. Reservation of powers of local authority:- Nothing in this Regulation shall take away or diminish any of the powers vested in any local authority by or under any law for the time being in force.

60. Power to make rules:-

1. The Lt. Governor may, by notification in the Official Gazette, make rules for carrying out the purpose of this Regulation.
2. In particular and without prejudice to the generality of the foregoing powers, such rules may provide for
 - a) The maintenance of registers, books and forms by a hotel-keeper, dealer or travel agent for conduct of business,
 - b) The form of application for registration and for registration and for certificate;
 - c) The fee for registration,
 - d) The manner for giving notice under this Regulation,
 - e) Classification of hotel and travel agent,
 - f) Qualification for registration as travel agents,
 - g) Manner of publication of the names and address of the persons and of the hotels removed from the register or to whom registration has been refused,
 - h) The place where the prescribed authority shall hold enquiry under this Regulation, and
 - i) Any other matter which is to be or may be prescribed.
3. Every rule made under this regulation shall be laid, as soon as may be after it is made, before each house of Parliament, while it is in Session, for a total period of 30 days, which may be comprised in one Session or in two or more successive Sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both houses agree for making any modification in rule or both houses agree that the Rule should not be made, the Rule shall thereafter have effect only in modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Rule.

TOURIST TRADE RULES 2009

In exercise of the powers conferred by sub section (1) and (2) of Section 51 of Andaman & Nicobar Tourist Trade Regulation 2009, Andaman & Nicobar Administration hereby make following rules, the same will be notified as required by Sub Section 3 of the said section, namely :

RULES

1. **Short Title Commencement** : (1) These rules may be called the Andaman & Nicobar Registration of Tourist Trade Rules , 2009
2. **Definitions** : In these rules, unless the context otherwise requires :
 - (a) 'Regulation' means Andaman & Nicobar Registration of Tourist Trade Regulation, 2009.
 - (b) 'Dealer' means a person carrying on in a tourist area, the business of selling any notified service or articles, whether wholesale or retail, and includes his agent or employee transacting business on his behalf.
 - (c) 'Form' means the form appended to these rules;
 - (d) 'Register' means the register of dealers, the register of travel agents or the register of hotel keepers, as may be relevant in the context under these rules;
 - (e) 'Section' means a section of the Regulation.
3. Registration of Dealers, Hotel Keepers, Travel Agents & Scuba Diving Centre :
 - (1) An application for registration by a person intending to carry on the business as a dealer, or a hotel keeper or a travel agent, Scuba Dive Centre under the Regulation shall be submitted to the prescribed authority in Form-I, Form-II or Form-III, & Form IV as the case may be alongwith a treasury Challan under which the fee prescribed under these rules have been paid.
 - (2) **Registration of Dealer** : The Director(Tourism), Department of Tourism or such other officer as notified by Andaman & Nicobar Administration shall be the prescribed authority for registration in the case of a Dealer, Hotel, Travel Agent & Scuba Dive Centre.
 - (3) The Registration Fee prescribed for each category shall be as follows :

<u>Category</u>	<u>Fee Per Annum</u>
(a) Shops & Establishments	Rs.5000/-

(b) Hotels	
(i) Category A	Rs.10000/-
(ii) Category B	Rs.5000/-
(iii) Category C	Rs.3000/-
(iv) Category D	Rs.2000/-
(c) Tour Operator/Travel Agent	
(i) Tour Operators/Agents with IOTA approval	Rs.2000/-
(ii) Other Tour Operators/ Agents	Rs.1000/-
(d) House Boats	Rs.500/-
(e) Scuba Diving Centre	Rs.10000/-

Explanation : The criteria for the categorization of hotels shall be those contained in Annexure A (Part-A to D).

- (4) The prescribed authority shall on receipt of application alongwith the treasury Challan, acknowledge or cause to be acknowledged the receipt thereof, indicating the date of its receipt.
- (5) On receipt of the application to prescribed authority shall scrutinize it and if considered necessary, conduct or cause to be conducted an enquiry. If registration is not refused under Section 5, 11, 20 or 29. As the case may be, the authority shall enter or cause to be entered the contents of the application and a certificate of registration in Form IV, V, VI, VII or VIII as the case may be, shall be issued to the applicant.
- (6) If the prescribed authority proposes to refuse to register applicant as a dealer, the hotel keeper, tour operator/travel agent, house boat operator or scuba dive operator under Section 5, 11, 20 or 29 as the case may be, he shall serve upon the applicant a notice indicating the grounds on which the registration is proposed to be refused and asking the applicant to submit his objections, if any, personally or through an authorized agent, within a period of fifteen days from the date of receipt of such notice.
- (7) If the prescribed authority does not receive any reply to the notice issued under Sub Rule (7) within the stipulated time or after considering the objections, or if the applicant requests to be heard in person, after hearing him, is of the opinion that the objections or submissions made by the applicant are not satisfactory, the authority shall pass an order refusing registration and communicate the order to the applicant.

(8) Every certificate shall be valid for a period of three years from the date of issue. An application for renewal of the certificate shall be submitted in Form-I, II, III or IV as the case may be and the foregoing provisions, mutatis mutandis, shall apply. Every such applicant shall be accompanied by a treasury Challan under which the prescribed fee has been paid.

4. Cancellation of Certificate :

(1) If, at any time, after a person is registered as a dealer, hotel keeper or a travel agent under the Act, the prescribed authority is satisfied that the dealer, hotel keeper or the travel agent or scuba diving centre has incurred any of the disqualifications mentioned in Sections 6, 12, 21 or 30 as the case may be the prescribed authority may serve a notice on him in Form IX, X & XI as the case may be, indicating the grounds on which it is proposed to remove his name from the register and requiring him to show cause within fifteen days from the date of receipt of such notice as to why his name should not be removed from the register and the certificate be cancelled.

(2) If the prescribed authority after considering the reply, or if the applicant requests to be heard in person, after hearing him is of the opinion that the explanations tendered or submission made by the dealer, the hotel keeper, or the travel agent, or scuba dive centre as the case may be, are not satisfactory, the authority shall pass an order removing his name from the register and cancel his certificate of registration and direct him to surrender the certificate for cancellation. Every such order shall be communicated to the dealer, the hotel keeper or the travel agent, or scuba dive centre as the case may be.

(3) On surrender of the certificate it shall be marked "Cancelled" and the endorsement shall also be recorded on the relevant page of the register.

5. **Blacklisting** : A dealer, hotel keeper or travel agents, scuba dive operator shall be blacklisted and publication of names and addresses of such dealer, hotel keeper, scuba dive operator and travel agent shall be made as per Sub Sections (1) & (2) or Section (7), Sub Sections (1) & (2) of Section 13 and Sub Sections (1) & (2) of Section 22 and Sub Section

(1) & (2) of Section 31 in Part-II, III, IV & V of the regulation respectively.

6. Notice to be sent by registered post – Every notice or order issued or communicated under these rules shall be sent by registered post at the address if the dealer, the hotel keeper or the travel agent or the Scuba diver shown in the application form, and such notice or order, as the case may be shall be deemed to have been communicated when so dispatched.
7. **Maintenance of books & registers by dealer** : Every dealer shall from the date of his registration, maintain the following books and registers in such form as may be specified and approved by the prescribed authority or such other officer as may be authorized by him in his behalf.
 - (i) Bill Book duly numbered.
 - (ii) Cash Memo book duly numbered.
 - (iii) Receipt books showing receipts of amount paid or advance received alongwith the dates.
8. **Maintenance of register/display by travel agents** : (1) Every travel agent shall from the date of his registration maintain a register containing the following particulars :
 - (i) Serial number
 - (ii) Name of the tourist/group leader
 - (iii) Nationality
 - (iv) Number of the tourists in the party
 - (v) Bill number and date
 - (vi) Receipt number and date
 - (vii) Name of the approved guide

2. Every travel agent shall display prominently the following information :

 - (i) Printed tariff without any mutilation or overwriting and
 - (ii) Printed itinerary without any mutilation or overwriting.
9. Information to be displayed : (1) Every hotel keeper shall display prominently the following information relating to his hotel :
 - (a) Total accommodation available
 - (b) Accommodation reserved by advance booking
 - (c) Accommodation available on a particular day and

- (d) Rates of eatable, extra bedding, room service etc. provided by the hotel.
2. Every hotel keeper shall maintain the following books and registers namely :
- (a) Tourist Register in Form XII-A
 - (b) Complaint Book
 - (c) Cash Memo
 - (d) Bill book duly numbered
 - (e) Receipt book duly numbered
 - (f) Register of advance booking with advance money received.
 - (g) The name of the person or concern with the address from where order is received.
10. Every scuba diving operator shall maintain the following books and register namely:
- a) Divers Register in Form XII-B
 - b) Complaint Book
 - c) Cash Memo
 - d) Bill book duly numbered
 - e) Receipt book duly numbered
 - f) Register of advance booking with advance money received.
 - g) The name of the person or concern with the address form where order is received
 - h) Log book.
11. **Issuance of duplicate certificate** : If the certificate issued under these rules is lost, damaged or destroyed and the certificate holder desired to have a duplicate, he shall submit an application in Form XII with a fee of Rs.50/- and the prescribed authority after hearing him as to the genuineness of his statement, may issue a duplicate certificate to the applicant. If the prescribed authority refuses to issue duplicate certificate he shall inform the decision to the applicant in writing indicating the grounds for such redressal.
12. **Reservation and allotment of mooring sites** : An application for reservation and allotment or mooring sites to boats shall be submitted to the prescribed authority in Form XIV with the fee as notified by Administration in Official Gazette from time to time.
13. Registration of persons carrying on business of plying boats etc. : (1)
Every person intending to carry on in a tourist area the business of

putting or plying for hire boats, tourist taxi, van, jeep, buses etc. shall have to register himself for carrying on such business.

(2) An application for registration shall be submitted to the prescribed authority in Form III with a treasury Challan under which fee as prescribed hereunder is paid. The Certificate of Registration shall be in Form IV.

(i) Tourist, taxi, boat, launches etc. Rs.500/-(Rupees Five Hundred).

(ii) Tents : Rs.500/-(Rupees Five Hundred).

3. The rates of hiring tourist taxies etc. shall be fixed by the Administration from time to time and such rates shall be published in the official gazette. The person engaged in any of the aforesaid business shall display the said rates at the entrance of his office or at the reception counter.

4. The provisions of rule (3) relating to registration and renewal of registration and rule (4) relating to cancellation of registration shall, mutatis mutandis apply to registration, renewal of registration and cancellation of registration under this rule.

Annexure 'A'

Part A

Criteria for Classification of Accommodation/Sophisticated Accommodation (Category 'A')

1. Location & Building : The hotel shall be located in an area suitable for the stay of upper middle class tourists having adequate parking place for vehicles, a lawn and a roof garden for the use of the guests.
2. Guest Rooms & Bathrooms : The following minimum amenities shall be provided in all the rooms to be occupied by the guests :
 - (a) Attached bathrooms with long baths, shower, running hot and cold water and adequate supply of soap, toilet paper and towels;
 - (b) Proper lighting, fan and ventilation;
 - (c) Telephone (except in seasonal hotels) – There should be a call in each room and a telephone connection on each floor;
 - (d) A Vacuum Flask for drinking water;
 - (e) Proper furniture;
 - (f) Comfortable beds with cotton/foam mattresses or coir mattresses;
 - (g) Clean line and blankets;
 - (h) The following shall be the minimum carpet area standard prescribed for bathroom/bedroom etc.

(i)

Air Conditioned single room	140 Sq.Ft.
Non air conditioned single room	160 Sq.Ft.
Air Conditioned Double room	180 Sq.Ft.
Non Air Conditioned Double Room	220 Sq.Ft.
Bathrooms (if fitted with showers)	40 Sq.Ft.
Bathrooms (if fitted with bathtub)	45 Sq.Ft.

3. Public Rooms : The following facilities should be provided in the public rooms :
 - (a) Properly staffed reception and information counters with 24 hours service;
 - (b) Well appointed lounge provisions for book stalls, money changing booth, safe deposit, left luggage facility etc.
 - (c) Good quality crockery, cutlery glassware and linen, clean hygienic well equipped and well maintained kitchen and pantry with a cold storage;
 - (d) Provision of cloak rooms for ladies and gents separately;
 - (e) Bar facility;

(f) Provisions of dance and a chamber music

4. Service : The following services shall be made available :

- (a) Hygienic and clean washing of cooking utensils, crockery and glassware;
- (b) Provision of services of experienced and trained staff wearing clean uniform;
- (c) Provision of dry cleaning and laundry service;
- (d) Supervisory staff coming into contact with the guests should understand English language and senior member of staff should possess a good knowledge of English language.

Note : Hotels that are classified as Five Star Deluxe, Five Star, Four Star, Three Star, Two Star and Heritage Hotels by the Government of India will be automatically included under Category 'A'.

Part B

Medium Class Accommodation (Category 'B')

1. Location & Building : The hotel shall be located in an area suitable for the stay of middle income group tourists.
2. Guest Room & Bathrooms : The following amenities should be provided in all the rooms to be occupied by guests :
 - (a) Attached bathroom with running hot and cold water, shower, proper sanitary fittings and adequate supply of toilet paper and towels;
 - (b) Proper lighting & fans;
 - (c) 40% of the beds can be in big rooms with 5 to 10 beds.
 - (d) Proper furniture and comfortable beds with cotton/foam mattresses;
 - (e) General Telephone;
 - (f) Call bell in each room.

The following shall be the minimum carpet area standards prescribed for bathroom/bedroom :

Single Room	-	110 Sq.Ft.
Double Room	-	168 Sq.Ft.
Bathroom	-	40 Sq.Ft.

3. Service : The following service shall be made available :
 - (a) Provisions of hygienic washing of utensils, crockery, cutlery and glassware ;
 - (b) Provision of laundry service;
 - (c) Provision of trained and experienced staff wearing clean uniform;
 - (d) Senior member of staff coming into contact with the guest should possess working knowledge of English language;
 - (e) A clean hygienic well equipped and well maintained kitchen with pantry;
 - (f) Reception counter with telephone facility.

Part C

Economy Class Accommodation (Category 'C')

1. Locality & Building : Suitable locality and building to cater to lower income group tourists.
2. Guest Rooms : The following amenities shall be provided in all rooms to be occupied by guests :
 - (a) The rooms should have capacity ranging from two to ten beds; in case of floor accommodation the number should not exceed 50 in any one room/hall;
 - (b) There must be common sanitary fitting lavatories and bathrooms fitted with running water, separately for ladies and gents, one each for 6 beds;
 - (c) Rooms should be properly ventilated, furnished and lighted;
 - (d) Fans should be provided in all rooms;
 - (e) A common restaurant;
 - (f) Minimum carpet area standards prescribed for bathroom/ bedroom shall be 50 Sq.Ft. in case of floor accommodation.
3. Service : The following service shall be provided :
 - (a) Clean crockery, cutlery and furniture;
 - (b) Hygienic washing of utensils under running water having regular, outlet of water;
 - (c) The Manager and Member of Staff should be conversant with English language;
 - (d) Reception Counter.

Paying Guest Accommodation (Category 'D')

1. Locality & Building : Suitable locality and building to cater middle and lower income group tourists.
2. Guest Rooms : The following amenities shall be available :
 - (a) The rooms should be having capacity ranging from 2 to 6 beds;
 - (b) There must be adequate sanitary fittings like lavatories/ bathrooms with running water, one each for 6 beds;
 - (c) Rooms should be properly ventilated, furnished and lighted;
 - (d) Fans should be provided in all rooms;
 - (e) Minimum carpet area standards prescribed for bath/bed room shall be 50 Sq.Ft. per bed.

FORM – I
APPLICATION FOR REGISTRATION AS A DEALER

To
(The Prescribed Authority)

Sir,

I/We request that I/We may be registered as a dealer, within the meaning of the Andaman and Nicobar Registration of Tourist Trade Regulation, 2009 for in respect of the articles mentioned in the Annexure to this application. The other particulars of my/our business are mentioned below :

1.	Name of the dealer with full address in the tourist area;	
2.	Name of the business concern;	
3.	Permanent residential address	
4.	Name of the Proprietor/Proprietors	
5.	Name of the agent/agent employee(s)	
6.	Name of business	
7.	Date of establishment of the business concern	
8.	Date of submission of the application	
9.	Tourist area in which the applicant is desirous to carry on the business	
10.	Whether the applicant is a permanent resident of the Andaman & Nicobar Islands	
11.	Any other business which the applicant is carrying on in any tourist area in the Andaman & Nicobar Islands or otherwise	

Signature of applicant

Place :

Date :

- Note :
1. The dealer should append an annexure indicating therein the articles regarding which he wants to be registered.
 2. The application should be supported by a certificate verifying the above particulars from the Municipal Council/Panchayat.

FORM – II
APPLICATION FOR REGISTRATION OF HOTEL KEEPER

To

(The Prescribed Authority)

Sir,

I/We request that I/We may be registered as a hotel keeper and my/our hotel known as (.....) situated at may be registered under Andaman and Nicobar Registration of Tourist Trade Regulation, 2009. The other particulars of the hotel are as under :

1.	Name of the person with full address intending to operate a hotel or is already operating a hotel	
2.	Name of hotel	
3.	Name of the tourist area where the hotel is to be run or is being run	
4.	Name of the Proprietor/ Proprietors	
5.	Name of the Manager with full permanent address	
6.	Name of Agent/Agents/Employee/ Employees	
7.	Whether the applicant is a permanent resident of the Andaman & Nicobar Islands	
8.	Any other business which the applicant is carrying on in any tourist area in the Andaman & Nicobar Islands or other States	
9.	Whether the building wherein the hotel is operated is owned by the applicant or is taken on rent or lease	
10.	In case of a leased building, the period of lease to be mentioned with specific dates	

Signature of applicant

Place :

Date :

Note : The Hotel Keeper should produce the prescribed registers at the time of presenting this application for approval and affixing official seal.

From

Address

FORM – III
APPLICATION FOR REGISTRATION OF TRAVEL AGENT

To

(The Prescribed Authority)

Sir,

I/We request that I/We may be registered as a travel agent/excursion agent within the meaning of the Andaman and Nicobar Registration of Tourist Trade Regulation, 2009 for area.

The particulars required for this purpose area given below :

1.	Name of the concern and its registered address	
2.	Year when the concern was established	
3.	Whether the concern is a proprietor/partnership/private or public limited concern	
4.	Month and date when the concern was registered	
5.	Capital sanding in bank	
6.	Name of Proprietor/Directors/Partners etc.	
7.	Details of interest, if any, in other business of the Directors/Partners; etc.	
8.	Name of Bankers (attach reference from the bank)	
9.	Name of Auditors (A balance sheet and profit and loss statement pertaining to the travel business, as prescribed under relevant law/practice must be submitted by each applicant)	
10.	Income Tax Clearance Certificate from the appropriate authority	
11.	All other activities undertaken by the firm besides travel arrangements	
12.	(i) Volume of tourist traffic handled up to the date of application showing foreign and internal tourists traffic separately	
	(ii) Clientele of any special tourist parties, their size, frequency of visits etc.	
	(iii) Amenities arranged for foreign tourists	
	(iv) Steps taken to promote home tourists, traffic and details of the parties handled, if any	
	(v) Promotion/Publicity activities, undertaken (with documentary proof)	
13.	Branches of the firm in the country, the staff employed at the headquarters and branches	
14.	Particulars of the foreign firms, if any, with the details of tourist traffic business connections	
15.	Name of the guide approved by Special Secretary-Cum-Director, Tourism Department, Andaman & Nicobar Administration having been employed with their address	
16.	Registration number and date of Airlines/Carriers (Certified Copies to be attached)	

Signature of applicant

Place :

Date :

FORM – IV
APPLICATION FOR REGISTRATION OF SCUBA DIVE OPERATOR

To

(The Prescribed Authority)

Sir,

I/We request that I/We may be registered as Scuba Dive Operator and my/our Scuba Dive Centre known as (.....) situated at may be registered under Andaman and Nicobar Registration of Tourist Trade Regulation, 2007.

The other particulars of the hotel are as under :

1.	Name of the Dive Centre	
2.	Details about the registration of the Organization/Company which operate the Dive Centre	
3.	Name of Owner(s) with Nationality and Passport No.	
4.	Address of the Office in Andaman Islands and in Mainland-India and Abroad with Telephone/Fax No./E-Mail	
5.	Website, if any	
6.	Details about Dive Operation undertaken by the firm/person in Andamans in the past with duration of operation etc.	

7. Details of scuba diving staff (Attach Xerox copies of qualification)

Designation	Name	Nationality	Passport No.	Qualification	Reference No.
Dive Instructor					
Dive Master					
Others					

8. Details of support staff (Attach Xerox copies of qualification)

Designation	Name	Nationality	Passport No.	Qualification	Reference

9. Details of Dive Equipments and Accessories

Sl. No.	Description	Make	Quantity
1.	Dive Boat		
2.	Dive Sets		
3.	BCDs		
4.	Compressor		
5.	First Aid Kit		
6.	Oxygen Kit		

10.	Emergency Action Plan(EAP) (attach copy)	
11.	Details of the fee submitted as demand draft in favour of Sr. Accounts Officer, Directorate of	

	IP&T	
12.	Details of Insurance	
13.	Details about services offered with tariff	
14.	Communication equipment, if any with details about permission obtained	
15.	Details of clearance from Ministry of Home Affairs (for foreign national) attach Xerox copies	
16.	Location of dive base	
17.	Dive Sites/area proposed to be visited	
18.	Details of the registration of the boat used for taking dive tourists	
19.	Any other relevant information (attach separate sheet if necessary)	

Signature of applicant

Place :

Date :

Note : The Scuba Dive Operator should produce the prescribed registers at the time of presenting this application for approval and affixing official seal.

From
Address

FORM – IV

**ANDAMAN & NICOBAR ADMINISTRATION
DEPARTMENT OF TOURISM**

CERTIFICATE OF REGISTRATION OF DEALER

This is to certify that, Resident of dealer in have been registered under the Andaman & Nicobar Administration Registration of Tourist Trade Act, 1991 and the rules framed there under to carry on the business as dealer in the following notified articles in area/areas. The certificate is valid upto

Name of the notified articles :

- 1.
- 2.
- 3.
- 4.
- 5.

(Prescribed Authority)

Place :

Date :

(Office Seal)

Endorsement

This registration is hereby, renewed upto

(Prescribed Authority)

Place :

Date :

FORM – V

**ANDAMAN & NICOBAR ADMINISTRATION
DEPARTMENT OF TOURISM**

CERTIFICATE OF REGISTRATION OF HOTEL KEEPER

This is to Certify that, Resident of
..... has/have been registered under the Andaman &
Nicobar Registration of Tourist Trade Regulation 2009 and the rules framed
there under to operate the said hotel/hotels.

- (a) Name of the Hotel :
- (b) Category :
- (c) Name of the Island and the area :
where the hotel is operated

(Prescribed Authority)

Place :

Date :

(Office Seal)

Endorsement

This registration is hereby, renewed upto

(Prescribed Authority)

Place :

Date :

FORM – VI

**ANDAMAN & NICOBAR ADMINISTRATION
DEPARTMENT OF TOURISM**

**CERTIFICATE OF REGISTRATION OF TOUR OPERATOR/
TRAVEL AGENT OR ‘EXCURSION AGENT’**

This is to Certify that, Resident of
..... has/have been registered under the Andaman &
Nicobar Registration of Tourist Trade Regulation 2009 and the rules framed
there under to carry on the business of Tour Operator/Travel Agent/Excursion
Agent in the Andaman & Nicobar Islands.

This certificate is valid upto

(Prescribed Authority)

Place :

Date :

(Office Seal)

Endorsement

This registration is hereby, renewed upto

(Prescribed Authority)

Place :

Date :

FORM – VII

**ANDAMAN & NICOBAR ADMINISTRATION
DEPARTMENT OF TOURISM**

CERTIFICATE OF REGISTRATION OF HOUSE BOAT OPERATOR

This is to Certify that, Resident of has/have been registered under the Andaman & Nicobar Registration of Tourist Trade Regulation 2009 and the rules framed there under to operate the said House Boats.

- (a) Name of the House Boat :
- (b) Category :
- (c) Name of the Island and the area :
where the House Boats is operated

(Prescribed Authority)

Place :

Date :

(Office Seal)

Endorsement

This registration is hereby, renewed upto

(Prescribed Authority)

Place :

Date :

FORM – VIII

**ANDAMAN & NICOBAR ADMINISTRATION
DEPARTMENT OF TOURISM**

CERTIFICATE OF REGISTRATION OF SCUBA DIVE CENTRE

This is to Certify that, Resident of has/have been registered under the Andaman & Nicobar Registration of Tourist Trade Regulation 2009 and the rules framed there under to operate the said hotel/hotels.

- (a) Name of the Scuba Dive Centre :
- (b) Name of the Scuba Dive Instructor :
- (c) Name of the Island and the area :
where the Scuba Dive Centre is
located

(Prescribed Authority)

Place :

Date :

(Office Seal)

Endorsement

This registration is hereby, renewed upto

(Prescribed Authority)

Place :

Date :

FORM – IX

**NOTICE UNDER RULE 4 OF THE ANDAMAN & NICOBAR
REGISTRATION OF TOURIST TRADE RULES, 2009**

To

Shri

Resident of

Registration No.

Whereas it has come to the notice of the undersigned that :

1. You have ceased to be a dealer within the meaning of the Andaman & Nicobar Registration of Tourist Trade Rules, 2009 and the rules framed there under.
2. You have been convicted for an offense of under Section Chapters XIV and XVI of the Indian Penal Code 1960 vide Order dt..... passed by the Court.
3. You have convicted for an offense of under Section of the Regulation, vide Order dt..... passed by the Court.
4. You have been convicted under Section of the Andaman & Nicobar Registration of Tourist Trade Rules, 2009 and rules framed thereunder for an offense of Vide Order dt. of the Court.
5. You have been declared an insolvent by the Court vide Order dt. and have not been discharged.
6. The following complaints of malpractice have been received against you.

And whereas your name is liable to be removed from the register under Section 6 of Andaman & Nicobar Registration of Tourist Trade Rules, 2009.

Now, therefore, notice is hereby given to you to show cause within fifteen days from the date of its receipt as to why your name should not be removed from the register and the certificate cancelled on the grounds specified above. If no reply is received within the said period, it will be assumed that the grounds mentioned in the notice are correct and on such assumption, an order shall be passed by me removing your name from the register and the certificate shall stand cancelled.

(Prescribed Authority)

Note : Indicate in details only the ground which is applicable at the time of issue of the notice.

FORM – X

**NOTICE UNDER RULE 4 OF THE ANDAMAN & NICOBAR
REGISTRATION OF TOURIST TRADE RULES, 2009**

To

Shri

Resident of

Registration No.

Whereas it has come to the notice of the undersigned that :

1. You have ceased to be a hotel within the meaning of the Andaman & Nicobar Registration of Tourist Trade Rules, 2009 and the rules framed there under.
2. You have been convicted for an offense of under Section Chapters XIV and XVI of the Indian Penal Code 1960 vide Order dt..... passed by the Court.
3. You have convicted for an offense of under Section of the Act, vide Order dt..... passed by the Court.
4. You have been convicted under Section of the Andaman & Nicobar Registration of Tourist Trade Rules, 2009 and rules framed thereunder for an offense of Vide Order dt. of the Court.
5. You have been declared an insolvent by the Court vide Order dt. and have not been discharged.
6. The following complaints of malpractice have been received against you.

And whereas your name is liable to be removed from the register under Section 6 of Andaman & Nicobar Registration of Tourist Trade Rules, 2009.

Now, therefore, notice is hereby given to you to show cause within fifteen days from the date of its receipt as to why your name should not be removed from the register and the certificate cancelled on the grounds specified above. If no reply is received within the said period, it will be assumed that the grounds mentioned in the notice are correct and on such assumption, an order shall be passed by me removing your name from the register and the certificate shall stand cancelled.

(Prescribed Authority)

Note : Indicate in details only the ground which is applicable at the time of issue of the notice.

FORM – XI

**NOTICE UNDER RULE 4 OF THE ANDAMAN & NICOBAR
REGISTRATION OF TOURIST TRADE RULES, 2009**

To

Shri

Resident of

Registration No.

Whereas it has come to the notice of the undersigned that :

1. You have ceased to be a Tour Operator/Tour Agent within the meaning of the Andaman & Nicobar Registration of Tourist Trade Rules, 2009 and the rules framed there under.
2. You have been convicted for an offense of under Section Chapters XIV and XVI of the Indian Penal Code 1960 vide Order dt..... passed by the Court.
3. You have convicted for an offense of under Section of the Act, vide Order dt..... passed by the Court.
4. You have been convicted under Section of the Andaman & Nicobar Registration of Tourist Trade Rules, 2009 and rules framed thereunder for an offense of Vide Order dt. of the Court.
5. You have been declared an insolvent by the Court vide Order dt. and have not been discharged.
6. The following complaints of malpractice have been received against you.

And whereas your name is liable to be removed from the register under Section 6 of Andaman & Nicobar Registration of Tourist Trade Rules, 2009.

Now, therefore, notice is hereby given to you to show cause within fifteen days from the date of its receipt as to why your name should not be removed from the register and the certificate cancelled on the grounds specified above. If no reply is received within the said period, it will be assumed that the grounds mentioned in the notice are correct and on such assumption, an order shall be passed by me removing your name from the register and the certificate shall stand cancelled.

(Prescribed Authority)

Note : Indicate in details only the ground which is applicable at the time of issue of the notice.

FORM – XIII

APPLICATION FOR DUPLICATE CERTIFICATE

From

To

Sir,

I/We submit that my/our registration certificate issued under No. dt..... has been lost/damaged/destroyed. I therefore, request that duplicate certificate may kindly be issued in my/our favour. The other particulars of my business are as under :

Yours faithfully,

(Signature, Name & Address)

Date :

FORM – XIV

To

Sir,

I/We request that I/We may be allotted one mooring site in area for mooring my/our boat which is required within the meaning of the Andaman & Nicobar Registration of Tourist Trade Regulations, 2009.

Necessary particulars in this regard are mentioned below :

- 1. Name of the owner :
- 2. Name of the boat :
- 3. Present Address :
- 4. Period for which the boat is indented to be moored :
- 5. Name of the tourist, if any, occupying the boat at the time of applying :

Signature of the applicant

By Order of the Lt. Governor

.....

Explanatory Note

(This does not form part of the Notification, but is intended to indicate its general purpose)

The Andaman & Nicobar Registration of Tourist Trade Regulation, 2009 has been brought into force by Andaman & Nicobar Administration on to ensure accountability of the traders and prevent exploitation of tourists. Administration now proposes to implement the Andaman & Nicobar Registration of Tourist Trade Regulations as per Sub Sections (1) and (2) of Section 51 of the Regulation. This notification is intended to achieve the above object.

No objections/suggestions have been received in Tourism Department of Andaman to draft rule published on, 2009 inviting objections/suggestions if any to the draft rules.