

tribes including the Jarawa. In the instant case it was on the recommendation of the aforesaid AAJVS that a field enquiry and or survey was conducted and the plots of land belonging to the writ petitioner was inspected in their presence and having regard to the nature of activity proposed to be undertaken by the said writ petitioner and having regard to the cliental of the writ petitioner the recommendation ultimately culminated into the notification which is under challenge.

5. That the Jarawa tribal reserve area has been notified vide notification bearing no. 159 of 2004 and dated 15.09.2004 wherein the boundary line from Constance Bay in South Andaman to Lewis Inlet Bay in Middle Andaman has been notified to be a reserve area and the same has been extended to coastal water upto a distance of 5 Km from the High Tide Line, on the western side of South and Middle Andaman Islands from Constance Bay to Lewis Inlet Bay.
6. That M/s Bare Foot has purchase 13 Biggas of land in Collianpur for construction of tourist resort. There is a place locally known as Zhao Kona where the Jarawa reside in close vicinity to the land purchased by M/s Bare Foot at Collianpur. That during low tide the Jarawas go to that area in search of their subsistence. If the tourist resort is allowed to be constructed at that place the Jarawa will be visiting the resort frequently for their needs which would lead to exploitation of the Jarawas by the non tribal specifically the tourist. In this regard it is further pertinent to note that the cliental of M/s Bare Foot is basically consisting of foreign tourist and in the event the resort is permitted to be constructed for its operation in that eventuality it would lead to harmful effect and

