

visit Baratang. The point of landing at Baratang for a Jarawa is usually at Nilambur jetty. It is stated that Jarawa are almost always sighted at Middle Strait, which is across the creek and within line of sight of Nilambur. Jarawas often freely interact with tourists, travellers and drivers of vehicles at Middle Strait while, as admitted by the Petitioner, the vehicles are parked for hours and waiting for the ferry.

7. The Petitioner has also contended that the Administration is bringing an amendment in the Regulations so as to include the power to create a buffer zone and further exempt the tourist and commercial activity carried on by the Government. In this context, it is stated that Hon'ble High Court has correctly interpreted the regulation as it presently stands the regulations does not include the power to create a buffer zone. Under Section 3(1) of the Regulation, the Petitioner No.1 is only authorized to alter the limit of the Reserved Area and issuing the impugned Notification declaring the said area as a "Buffer Zone" was beyond Petitioner No.1's jurisdiction and powers. The Petitioner No.1 has exceeded the scope of its jurisdiction. The Petitioner No.1 cannot interpret the term "Reserved Area" to mean "Buffer Zone" which is not in consonance with the definition contained in Section 3 (1) of the Regulation. It is submitted that the term "Reserve Area" as stated in Section 3 (1) of the Regulation does not empower the Petitioner No.1 to issue the impugned notification declaring any area as a "Buffer Zone". The Petitioner No.1 cannot depart from what has been intended in the Regulation.

