

BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL
BENCH, DELHI

Execution Application. 43 of 2024
In
Original Application.111 of 2018

IN THE MATTER OF:

Kachchh Camel Breeders Association ... APPLICANT

VERSUS

Ministry of Environment & ORS. ... RESPONDENTS

**AFFIDAVIT ON BEHALF OF GUJARAT POLLUTION
CONTROL BOARD**

I, Falgun Modi, an Age- 53, having my office at Kutch-East, Gandhidham , do hereby solemnly affirm and state an oath as under:

1. I am presently serving as Regional Officer at Kutch-East, Gandhidham with Gujarat Pollution Control Board. I have perused the record pertaining to the case available in my office and am conversant with the facts of the case. I am authorized to swear the present affidavit on behalf of the Gujarat Pollution Control Board as member of committee and am otherwise competent to make the present affidavit.
2. I say that each and every averment and/or submission made in this in support of the prayer shall be deemed to have been denied, unless expressly admitted in the present reply.

Falgun Modi



3. I am filing the present affidavit for limited purpose in compliance with an order dated 11-12-2024 passed by this Hon'ble Tribunal directing the respondents to filing the response by way of affidavit.
 4. A copy of Action taken report with annexures no 1 to 15 are annexed herewith and marked as **Annexure R-1**.
1. The Board assures that it shall abide by all or any directions which are issued by this Hon'ble Tribunal and take steps against the erring unit strictly in accordance with law.

Truptin Chauhan

DEPONENT

VERIFICATION

Verified at Falgun Modi on this 3rd day of March 2025 that the contents of the above affidavit are true and correct, nothing stated therein is false and nothing material has been concealed therefrom.

Truptin Chauhan

DEPONENT

SOLEMNLY AFFIRMED

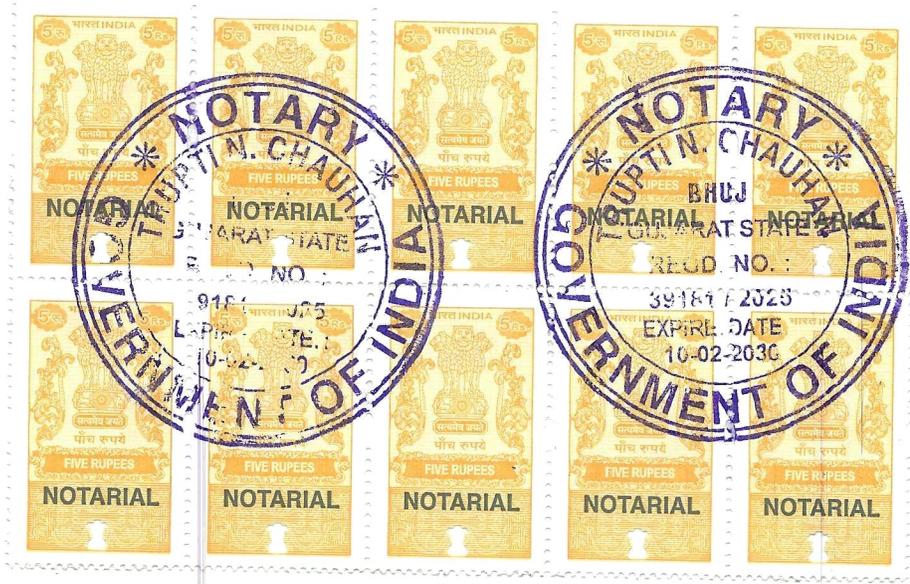
BEFORE ME

Truptin Chauhan

TRUPTIN CHAUHAN

NOTARY
GOVT. OF INDIA

03 MAR 2025



ANNEXURE R-1**Action taken report with relevant Annexures in the matter of Execution Application no: 43/2024 in Original Application no: 111/2018 filed before the National Green Tribunal, Principal Bench, New Delhi.****1. Past History:**

- Gujarat Ecology Commission has issued letter to the Director, Forest & Environment Department to investigate matter of large-scale destruction of mangroves in Moti Chirai & Vondh area dated: 21/02/2018 made in the representation from Dr. Nagar, Professor, MS University and Mr. Pankaj Joshi, Sahjeevan.
- Kutch Camel Breeders Association vide letter dated: 22/02/2018 made complaint regarding large destruction of Mangrove in Bhachau& Vondh area. With respect to the complaint; officials from GPCB and Deendayal Port Trust (DPT) (Erstwhile known as Kandla Port Trust, KPT) on 26/02/2018 and following observations were made:
 - i. Contacted KPT officials verbally informed that this land parcel admeasuring 3500 acres (plot no: 02-1000 Acres to Shree Ram Salt works, Plot no: 3 to 6) (3 X 500 Acres; 1 X 1000 Acres) to Jyoti Salt on lease for salt production.
 - ii. Bunds were constructed to obstruct the flow of water; backfilling is observed in Intertidal zone of CRZ Area and large-scale destruction of mangroves were observed.
- Also, site visit of above-mentioned site viz. Nani Chirai and Moti Chirai were inspected by Forest Department, Kutch East division on 22/02/2018 & 23/02/2018. As per the report of Forest department, the said land is under jurisdiction of M/s. Deendayal Port Trust (DPT) and bund construction activity was going on in DPT area. The said land parcel was allotted to Jyoti Salt for salt production.
- The above inspection reports of Forest Department Kutch Division and GPCB Regional Office, Kutch (East) were deliberately discussed in District Level CRZ Committee meeting dated: 08/03/2018 and as per the Minutes of the Meeting;
 - i. Sub-Committee was constituted for carrying out site visit of said land parcel
 - ii. To appraise State Government to direct Deendayal Port Trust to cancel all such leases and take appropriate action under the Environment (Protection) Act, 1986 to ensure that no further destruction of mangroves as well as violation of CRZ Notification, 2011 takes place.
 - iii. To issue Advisory Notice to the Deendayal Port Trust by Chairman of DLCRZ to stop all prohibited activities in CRZ Area and to restore the pre-conditions by removing bunds and obstruction made to stop the free flow of tidal water.
- With reference to the MOM dated: 08/03/2018; Sub-Committee has carried out site inspection on 14/03/2018 and observation were made as below:
 - i. Representatives of Deendayal Port Trust present during the inspection have informed that the said area, total five plots admeasuring an area of 3500 acre, is

leased out for salt production activity to Ms. Shree Jyoti Salt Industries and Ms. Shri Ram Salt Supply.

- ii. It is observed that obstructions are created along the creeks by way of constructing earthen bunds/roads which in due course of time affects the very survival of the Mangroves in a vast area and its associated biodiversity.
- iii. Uprooted mangroves were evident from the cuttings and remains of Mangroves plant parts in the visited areas.
- iv. Land leveling was noticed which affect the minor creek system within the area.
- v. All the above activities resulted in destruction of mangroves habitats and removal of mangroves in an area of about 750 acres. Out of which, 250 acres area can be categorized as moderately dense mangroves and balance 500 acres can be classified as open mangrove (sparse mangrove).
- vi. The committee has also noticed extensive construction of earthen bundings even beyond the five above said plots. Since the length of bundings are extensive, it is very difficult to predict the exact impact area due to bunding. Never the less, this could impact several folds of the lease areas as mentioned above.
- vii. The bunding/leveling activity is carried out since two-two and half months.
- viii. Since the area falls under mangroves, i.e. CRZ I-A, any activity without prior permission on habitat alterations or removal of mangroves is a case of clear violation of CRZ Notification 2011 and amendment thereof.

- Accordingly, Advisory notice vide letter no: GPCB/CRZ/T-55(2)/118 dated: 02/03/2018 were issued to DPT with following points which is attached as **Annexure-1**:
 - i. To stop all prohibited activities immediately in CRZ area and restore the pre-conditions by removing bunds and obstruction made to stop the free flow of tidal water.
 - ii. To stop carrying out any activity in and around the inter tidal areas which are affecting the mangroves, blocking the creeks, disturbing the natural flow of tidal waters and commenced without obtaining prior clearance from the competent Authority are in violation of the provision of the CRZ notification.
 - iii. To cancel all such leases with immediate effect which falls under CRZ category I-A area.
 - iv. To stop any activity in the CRZ-I (A) area, which is classified as ecologically Sensitive areas as per CRZ Notification.
 - v. To prepare restoration plan for the impacted and surrounding areas including its effective implementation monitoring plan and submit within fortnight
- Also, the Chairman DLCRZ & District Collector, Kutch requested to GCZMA to appraise the State Government to direct Deendayal Port Trust to cancel all such leases and to take all necessary actions under the Environment (Protection) Act, 1986 vide letter dated: GPCB/CRZ/T-55(2)/119 dated: 28/03/2018 which is attached as **Annexure-2**.

2. Original Application no: 111/2018 filed at Principal Bench, New Delhi at Honorable National Green Tribunal.

- Meanwhile, Kutch Camel Breeders Association has filed Original Application no: 111/2018 in PB, NGT, New Delhi.

- Also, MS, DLCRZ has submitted the Action taken report to the Director Forest & Environment Department regarding this matter vide letter no: GPCB/RO/KUTCH-WEST/CRZ/T-55(2)/148 dated: 12/04/2018 with respect to letter received from DoFE letter no: ENV-10-2018-20-E (T-Cell) dated: 26/02/2018.
- Based on this, the Additional Chief Secretary, Forest & Environment Department & Chairman, GCZMA has issued Directions on dated: 20/04/2018 under Section 5 of the Environment (Protection) Act, 1986 to Deendayal Port Trust as follows which is attached as **Annexure-3**:
 - i. To stop all activities immediately in the said area.
 - ii. To restore the free flow water in the creeks/creek lets by removing all the earthen bunds/roads.
 - iii. Since areas falls under CRZ Category I-A, all the leases should be cancelled with immediate effect and legality should be followed.
 - iv. The restoration plan needs to be prepared for the impacted and surrounding areas and effective implementation should be envisaged with appropriate mechanism. Monitoring.
- Honorable NGT has passed an interim order dated: 19/03/2018 seeking joint committee report of CPCB and GPCB. Observation as per the joint committee report is as below which was also noted in the final order dated: 11/09/2019:
 - i. It was observed that earthen bunds have been created stage wise for creating pans for salt farming and land leveled at several places which resulted in blocking of minor creeks i.e., obstruction of flow of sea water and destruction of the mangroves.
 - ii. These activities might have affected the survival of the Mangroves in a vast area and its associated biodiversity. It was also noticed construction of earthen bunds in large area beyond the above said plots in areas towards creek (little Gulf of Kutchh).
 - iii. During the inspection, no any activities like bund making, levelling of land, manual up-rooting of mangroves were observed at visited site. Machineries were not observed, at this site.
 - iv. It was informed by Deendayal Port Trust (DPT) officials that the land admeasuring to 3500 acres viz. (Plot No. 2- 1000 Acres to Shree Ram Salt Supply, Plot No. 3 to 6 (3 X 500 acres; 1 X 1000) acres to Shri Jyoti Salt industries) allotted on lease for 30 years for salt production purpose on as is where is basis. The allotment letters were issued on 21.02.2017. Further, it was informed that for the demarcation of the land/plot for giving possession, DPT issued letter (dated 19.06.2017) to both allottee (Shree Ram Salt Supply and Shri Jyoti Salt Industries) to construct a bund along the line of boundary, so that actual boundary points can be demarcated and possession of the land can be handed over. It was informed by DPT officials that the possession letters to the above allottee have not been issued till date.
 - v. DPT informed that as per one of the tender condition (clause 4.26 (A)), all the requisite clearances should be obtained by the allottee and the construction of plots will only be allowed after all such certifications/clearances from various departments are obtained. However, it was surprising to know that DPT has not

properly noticed/monitored any developments in this area and only asked for requisite approvals from allottee (which were to be obtained from statutory authorities) after visit of Officials of Regional Office, GPCB, KutchEast.

- Based on above joint committee report; Honorable National Green Tribunal vide its order dated: 24/05/2018 has directed Gujarat State Pollution Control Board (GPCB) assisted by the District Magistrate to visit the spot and remove all obstructions from the creeks to ensure flow of water to the area where mangroves exist and submit compliance within ten (10) days from the date of order.
- GPCB has filed affidavit on 03rd July, 2018 and has submitted that they had with the assistance of the District Collector and District Magistrate; Kachchh completed the work of demolition of bunds.

3. Interlocutory Application no: 20/2019 in the Original Application no: 111/2018 filed before Hon'ble National Green Tribunal

- In the meantime; Kutch Camel breeders Association has filed IA. 20/2019 in the OA.111/2018; regarding large destruction of Mangroves in Jangi area along with other areas Morasiya and Hadakiya creeks, Bhachau Taluka which was discussed in the DLCRZ committee meeting dated: 01/03/2019 and it was decided to carry out site inspection 08/03/2019 and as per the committees observation:
 - Sub-Committee observed that, the said area was unapproachable and that area falls under the jurisdiction of M/s. Deendayal Port Trust, Gandhidham.
 - Inspection report stated that M/s. Deendayal Port Trust has informed on dated 26/12/2018 to The Superintendent of Police (East Kutch), Gandhidham for unauthorized occupation, attempt of encroachment, illegal activities and violation of Environmental Norms on vacant and unutilized DPT Land, located opposite Salt Land/ Plot of Ex-Lesse of M/s. Kanoria Chemicals near village Jangi.
- Pertaining to this, action taken report from M/s. Deendayal Port Trust was asked by the Committee on dated: 02/05/2019 and subsequently made thereafter, but no action taken report were submitted from DPT.
- Thereafter, Direction under Section-5 of the Environment (Protection) Act, 1986 were issued on dated: 12/06/2019 by the Additional Chief Secretary, FED to the Chairman Deendayal Port Trust which is attached as **Annexure-4**.
- In the same directions, Member Secretary, District Level CRZ Committee was directed to lodge FIR against known or unknown miscreants who are involved in illegal activity of cutting mangroves. FIR no: I/33 dated: 24/06/2019 under Section 154 Cr.P.C at was lodged at Samkhiyali Police Station which is attached as **Annexure-5**.
- Hon'ble NGT has disposed the said matter on dated: 11/09/2019 with below mentioned directions:

- There shall be no obstruction of any kind in the creeks and free and continuous flow of estuarine water in the creeks will be ensured.
 - The Forest Department, Government of Gujarat, GCZMA and Revenue Officials will jointly inspect the area to find out the persons who were responsible for obstruction of the creeks and take action in accordance with law including recovery of environmental damage and cost of restoration of mangroves damaged. This may be done within a period of one (1) month from today.
 - If there has been any activity which is in violation of CRZ Notification, 2011, the GCZMA will immediately take action in accordance with law.
 - If there has been any activity in the mangroves area which are in contravention of the Forest (Conservation) Act, 1980 or any other law, the Forest Department will immediately take action in accordance with law.
 - There shall be no salt manufacturing activity in CRZ – 1 area without following the due procedures provided under law/notification. If such activity are found the GCZMA will take action immediately to stop forthwith and initiate appropriate proceedings.
 - The quantum of damage caused to the mangroves shall be assessed by the GCZMA in accordance with laid down procedures and the same shall be recovered from 20 the persons responsible for the same within a period of one month from today.
 - The Forest Department, Government of Gujarat will take immediate action to restore the mangroves which are damaged within a period of six (6) months from hence.
- Pursuing the Honorable NGT Order dated: 11/09/2019; Joint committee was constituted comprising members from GCZMA, GMB and GEC. Joint committee has carried out site visit on 10/12/2019 & 11/12/2019. Following were the conclusion of the committee:
 - It was concluded that the destruction of the mangrove at Nani & Moti Chirai villages area is about 31.92 ha, the area of Jangi where the mangroves have been destructed is about 32 Ha. And another 85 Ha area has been destructed near Khershah Pir mosque.
 - The land in which mangroves destructions happened near Moti Chirai & Nani Chirai as well as near Khershah Pir belong to the DPT. However, DPT has leased out to third party. Hence, it is concluded that DPT is the preliminary responsible for above stated destructions.
 - DPT was not able to provide the details of culprit therefore, it was difficult for the committee to identify the exact name of the culprit
 - As far as the Jangi area is concerned, there is dispute between DPT and Revenue Department regarding ownership of the land
 - DPT and Revenue Department should immediately carry out exercise of land demarcation for this area and based on the decision they may share the cost or recover from the culprit to be incurred for restoration of mangroves and clearing the bunds.
 - The Committee concluded that per Ha cost for mangroves plantation is Rs.45000 considering the prevailing plantation model of GEC and the Forest Department. Whereas the cost of demolition of bund is approximately Rs.2000/rmt. However, it may be depending upon the site conditions and the approach.

4. Execution Application no: 12/2020 in the Original Application no: 111/2019 filed before Honorable National Green Tribunal

- This application was filed on 27.05.2020 with the allegation that GCZMA has not taken steps for enforcement of CRZ notification by stopping manufacturing activities, including salt manufacturing activities, no assessment and recovery of damage to the mangroves nor restoration of the mangroves had been carried by the Forest Department. This Tribunal issued noticed on 15.06.2020 to the MoEF&CC, Forest and Environment Department of the State, GCZMA, Chief Conservator of Forest, Gujarat, District Collector, Bhuj, Deendayal Port Trust, State PCB, M/s Jyoti Salt Industries and Shri Ram Salt Supply Industries.
- Hon'ble NGT has disposed the said EA on date: 16/09/2020 with following Directions:
 - *In view of the above, let further steps be taken for enforcement of order of this Tribunal dated 11.09.2019. The amount determined be recovered expeditiously and restoration work be executed which may be overseen by a joint Committee comprising Forest Department and GCZMA. Forest Department will be the nodal agency for compliance. The joint Committee may ensure compliance of directions, including stopping and remedying violation of CRZ Notification, including any salt manufacturing activity and Forest Conservation Act, 1980. The joint Committee may file a compliance report with the Chief Secretary, Gujarat within three months.*
- Director (Environment) & Additional Secretary, Forest & Environment Dept. Govt. of Gujarat constituted a committee for implementation of Hon'ble NGT order in E.A.No.12/2020 in O.A.No.111/2018 on 09-10-2020. Committee comprises of members of Forest Dept, GCZMA, Gujarat Ecology Commission, GPCB and a representative of District Collector, Kachchh with condition that the committee may file its report to Hon'ble Chief Secretary, Govt. of Gujarat before 06th December, 2020.
- Director (Environment) and Member Secretary, GCZMA issued directions under Section 5 of the Environment (Protection) Act, 1986 to DPT dated 05/11/2020 as below which is attached as **Annexure-6**:
 - To stop all activities immediately in the said area. To restore the free flow water in the creeks.
 - To restore the free flow of water in the creeks lets by removing all the earthen bunds through Forest Dept and deposit the amount to the Forest Dept as per the committee report.
 - Carry out mangrove plantation three times of the mangrove destructed in the area as reported by the Committee through Forest Department as per the findings of the committee report, and Deendayal Port Trust is directed to deposit the amount to Forest Department as per committee report.
- **Submission by Deendayal Port Trust in compliance of the directions issued to the DPT dated 05/11/2020:** Chief Engineer DPT made a submission as approved by Chairman DPT regarding compliance to directions given by GCZMA on 16/11/2020.

- To Stop all activities immediately in the said area and "Status quo shall be maintained till further orders." Since then, it is once again confirmed that there is no activity going on in the said area allotted by the DPT.
- DPT has already taken action to comply with the order of Hon'ble NGT dated 16/09/2020 with regard to the area under jurisdiction of DPT.
- **Submission of details about amount deposited by DPT to Forest Dept reg:**
 - DPT has deposited an amount of Rs.2,42,64,200/- to Forest Dept account for bund removal and mangrove plantation with regard to the area (Nani Chirai and Moti Chirai only) under jurisdiction of DPT.
 - However, As far as the Jangi area is concerned, there is a dispute between DPT and Revenue Department regarding ownership of the land. DPT and Revenue Department should immediately carry out an exercise of land demarcation for this area and based on the decision they may share the cost.
 - Therefore, for this particular parcel of land area (Jangi), after the demarcation of land and ownership of land thereof (DPT or Revenue Dept), further steps would be taken accordingly for removal of bund and mangrove restoration.
 - District Collector, Kutch has directed DILR to carry out survey.
- RFO Bhachau and Engineers Land section, DPT was carried out 3/12/2020 to mark location/area with GPS where bund removal work needed to be carried out. Bund removal activity was started on 14/12/2020 at the location suggested by the Joint Inspection committee and based on site visit with Engineers from Land Section DPT on 03/12/2020. Illegal earth bund approximate 1 meter height has been destructed and available soil has been spread and leveled on both sides of bunds in approximate 10-12 meter width to allow tidal water of flush the area.
- **DCF, Kutch East Forest Division send a second demand note for further bund removal work as per the Joint Visit on 03/12/2020 by RFO Bhachau and Engineer DPT. Total length of the bund to be removed is 13908 rmt out of which amount has been deposited by DPT for 4240 running meter of length and for the rest running meter length is still pending as per the Joint Committee report.**

5. Action taken by Forest Department in context to this matter:

- On Date 10-12-2019 and Date 11-12-2019 Site visit was done by officers and staff of Forest Department, Revenue Department, DPT, Gujarat Maritime Board, GPCB, DILR, GEC, ISRO and Applicants. As per committee field visit and satellite images provided by BISAG 32 Ha in Jungi area and 85 Ha Near Khersah pir Mosque area were impacted due to construction of Bund and the length of Bund were found around 5271Rmt. On 3/12/2020 Forest staff and DPT staff visited the place and demarcation was done for bund Removal works.
- DPT had deposited an amount of Rs 2,42,64,200/- on Dated 21/11/2020. The amount required for restoration of mangroves near Jungi was not deposited by DPT, because there was a land dispute between DPT and Revenue Department.
- Illegal Bund Removal work was started on 14-12-2020 and approximately 4000 Rmt bund has been destructed.

- Plantation work started from Sept-21 and Completed in Dec-21.
 - Joint visit of Forest Department and DPT was done on Dated 09/02/2021 for inspection of bund Removal work.
- 6. Discussion of representation received by Kutch Camel Breeders Association regarding destruction of mangroves in the area of Vondh and Jangi, Taluka: Bhachau in the District Level CRZ Committee dated: 24/05/2023.**
- As per discussion held in DLCRZ Committee meeting dated: 24/05/2023; Encroachment of areas by salt manufacturers and destruction of dense mangrove forests in the area of Hadkiya Creek, Nani Bet & western region of Gulabsha Pir Dargah. Destruction of mangroves in @ 25-30 acres using JCB, tractor. Obstruction of flow in Hadkiya creek by construction of bunds leading to drying of mangroves. DPA has stated in letter to DSP, Kutch-East about unauthorized occupation and encroachment of DPA Salt land/plots by miscreants near Batiya Peer/Ghulamshah Peer Dargah. As per inspection carried out by Forest Dept., Kutch East, dated 13.03.2023 following points were mentioned:
 - In Moti Chirai - Ghulamshah Peer Sea Creek area soil bunds have been created by illegal miscreants in North-West direction which have been made in last 15-20 days.
 - Small mangroves have been found alive but due to non-availability of sea tidal water; land is found getting dried.
 - Mangroves in @ 150-200 hectares land have been affected due to obstruction of sea water.
 - Informed DPA to take necessary actions under land grabbing and to protect mangroves as major land does not fall under Forest Dept.
 - As per committee's decision, SDM, Bhachau shall conduct meeting with Kutch Camel Breeders Association, DPA & Forest Dept. If violations of NGT order in O.A No. 111/2018 & Execution application no. 12/2020 & complaint are observed; jointly action shall be taken.
- 7. Joint inspection report of Sub-Divisional Magistrate, Bhachau and GPCB RO Kutch-East dated: 05/07/2023**
- Points as mentioned in representation made by Kutch Camel breeders association are as below:
 1. Naturally grown mangroves are seen dried due to obstruction of natural flow of water.
 2. Mangroves are being destructed with machines.
 3. Imprint of mangrove destruction through machine can be observed on site.
 4. Due to obstruction in natural free flow of water many dead aquatic species can be observed at site.
 5. Bunds are constructed in Canal branches and Mangroves in CRZ-1 (A) area are obstructed with the help of machines.
 6. @ 15 nos. of salt pans have illegally encroached and destruct mangrove forest which was observed by camel breeders.
 - Following observations were recorded at the time of visit:

- Salt pans were constructed for manufacturing of raw salt behind Gulamsinh Pir with co-ordinates 23 09 47.8 N 70 21 46.9 E by destructing mangroves and dead mangroves were observed at the site. Bunds were constructed to obstruct the flow. Imprints of JCB/Machineries for destruction of mangroves can be observed on site.
 - Bunds were observed constructed to obstruct the free flow of creek water at 23 09 31 N and 70 22 19 E and the said area falls under CRZ 1-A area as per the CRZ Notification-2011 prepared by Gujarat Coastal Zone Management Authority.
 - Looking to the site condition; Point no: 1 to 5 of the representation made by Kutch Camel Breeders Association seems true on site. With respect to point no: 6 apart from names mentioned in the complain; other units engaged in salt manufacturing are also liable for initiating action.
- In view of the abovenon-compliances observed; letter was issued by the Chairman, District Level CRZ Committee and District Collector, Kutch on dated: 11/10/2023 to the Chairman, Deendayal Port Trust to carry out following action which is attached as **Annexure-7**;
 - To cancel all such leases which violates the provisions of the CRZ Notification, 2019 with immediate effect.
 - To initiate bund removal activity in and around the inter tidal areas which are affecting the mangroves, blocking the creeks, disturbing the natural flow of tidal waters and commenced without obtaining prior clearance from the competent Authority are in violation of the provision of the CRZ notification.
 - To initiate mangroves restoration procedure of the affected area and implement the measures to restore the pre-conditions.
 - To create effective mechanism for complying with the provisions of CRZ Notification, 2019 within DPT area.

8. Discussion of Joint inspection report of Sub-Divisional Magistrate, Bhachau and GPCB RO Kutch-East dated: 05/07/2023

- As per committee discussion; Committee has decided to take necessary actions for violations observed and shall submit ATR.
- Committee has decided to pass resolution to empower officers namely (1) Sub-Divisional Magistrate (2) Deputy Conservator of Forest (3) Regional Officer, Kutch West & East to forfeit and confiscate assests used for violation of CRZ Notification, 2011.

9. Action taken report submitted by Deendayal Port Authority dated: 28/05/2024

- With reference to DLCRZ committee letter dated: 03.05.2024; DPT has submitted following action taken report.
 - Encroachment removed from illegal salts pans at vondh & Bhachau-hadkiya creek, nani bat and Gulamsha peer Dargah.
 - Removal of obstruction of bunds for smooth flow in hadkiya creek by providing circulation of sea water to live of mangroves.
 - Executive Engineer Road (DPA) has sent letter to SP East Kutch, Dy. Collector and SDM Bhachau, Forest Officer Bhachau, Police station officer Bhachau to take early action of this sensitive matter and eliminate of such incident to ensure preservation, protection of Government of India land, mangrove plantation

- Providing regular flow to small mangrove for growing in livable condition with availability of sea tidal water with surrounding land is full of sea tidal water.
- Regular watch and ward by staff of DPA are monitoring of salt pans land at gulamsha peer, Hadkiya Creek, etc. to prevent encroachment.
- Action taken for removal of bunds in and around intertidal zones, salt pans and removal of blocking bunds of the creek and provide the natural flow of sea water to growing of mangroves.

10. Discussion of representation received by Kutch Camel Breeders Association regarding destruction of mangroves in the area of Vondh and Jangi, Taluka: Bhachau which is also included in Point no: 3.4 of the Report no: 3 on Performance Audit on Conservation and Management of Coastal Ecosystems in the year 2022 issued by Comptroller and Auditor General of India (CAG) in the District Level CRZ Committee dated: 11/06/2024.

- Resolution was passed by the committee to empower officers namely (1) Sub-Divisional Magistrate (2) Deputy Conservator of Forest (3) Regional Officer, Kutch West & East to forfeit and confiscate assets used for violation of CRZ Notification, 2011 which is attached as **Annexure-8**.
- Also, committee decided that DCF, Kutch (East) shall present the work completed with respect to Mangrove Plantation (DPA) funded with satellite images in the next meeting.
- With reference to the letter dated: 11/10/2023 and representation received from Insaif sangathan, Kutch regarding non-removal of encroachment of land by DPT in the area from Kandla to Chirai; The Chairman, District Level CRZ Committee and District Collector, Kutch has decided to issue letter to the Chairman, DPT on dated: 02/08/2024 to the Chairman, Deendayal Port Trust to comply with Honorable NGT Order and CAG audit report which is attached as **Annexure-9**.

11. Discussion of representation received from Kutch Camel Breeders Association regarding destruction of mangroves in the area of Vondh and Jangi, Taluka: Bhachau which is also included in Point no: 3.4 of the Report no: 3 on Performance Audit on Conservation and Management of Coastal Ecosystems in the year 2022 issued by Comptroller and Auditor General of India (CAG) in the District Level CRZ Committee dated: 24/09/2024.

- As per committee's decision, Forest Department along with DPA shall re-verify the destructed mangrove area & remove illegal bunds due to salt encroachment with the help of machineries to be provided by DPA.
- MS, DLCRZ vide letter dated: 04/10/2024 has requested the Chief Engineer, DPT and DCF Forest to carry out following activities and submit compliance within 15 days which is attached as **Annexure-10**:
 - Forest Department along with DPA shall re-verify the destructed mangrove area & remove illegal bunds due to salt encroachment with the help of machineries to be provided by DPA.
 - Restoration of mangrove areas shall be done by DPA.
 - Forest Department shall submit the reports along with names who has destructed mangroves due to salt encroachment so further action can be initiated as per laws.
 - As per Hon'ble NGT order in O.A. No. 111/2018 & E.A. No. 12/2020; Forest Department has carried out 350 hectares of mangrove plantation. In view of the

same, Forest Department, GPCB, Regional Office, Kutch (East) & DPA shall re-verify the mangrove area including the area of Gulamshah Pir Dargah and additional salt encroachment, if any and submit the names of violators to the committee.

- Forest Department and GPCB, Regional Office, Kutch (East) shall carry out random individual monitoring to prevent further mangrove destruction.
- Forest Department shall prepare KML files of existing mangrove patches so as to prevent and avoid further mangrove destruction.
- The Chairman, DLCRZ and District Collector & District Magistrate, Kutch vide letter dated: 15/10/2024 has again requested the Chairman DPT to carry out action with reference to the violation and encroachment and submit action taken report which is attached as **Annexure-11**.

12. Report received from DCF, Kutch east dated: 03/12/2024.

- With respect to letter dated: 04/10/2024, GPCB, DPT and Forest Officials has carried out joint visit on 29/11/2024 and 30/11/2024 and has concluded that more than 1 KM area has been encroached and required more plant machineries & manpower from DPA to remove encroachment which is attached herewith **Annexure-12**.

13. Meeting under the Chairmanship of SDM, Bhachau with GPCB, DPA and Forest Department Officials on date: 03/01/2025

- Meeting was conducted under the Chairmanship of SDM, Bhachau with GPCB, DPA and Forest Department Officials on date: 03/01/2025 in which it was concluded that; DPT has not arranged additional plant machineries for execution of bund removal work which is also mentioned in DCF Report dated: 03/12/2024.
- Earlier DPT vide letter dated: 07/12/2024 has requested SP, Kutch East to provide police protection. However due to lack of coordination from DPA side. Therefore proper police protection was not arranged.

14. Discussion of representation received by Kutch Camel Breeders Association regarding destruction of mangroves in the area of Vondh and Jangi, Taluka: Bhachau which is also included in Point no: 3.4 of the Report no: 3 on Performance Audit on Conservation and Management of Coastal Ecosystems in the year 2022 issued by Comptroller and Auditor General of India (CAG) in the District Level CRZ Committee dated: 29/01/2025.

- As per meeting discussion all violations are in DPA land, DPA is primarily responsible for protection of mangroves and compliance of NGT order O.A.NO:-111/2018 and E.A.NO:-12/2020.
- Executive engineer of DPT Mr. Manoj Gohil present in meeting strictly instructed to take action to prevent violation of CRZ Notification and comply with Hon'ble NGT orders and CAG audit report. GPCB, Forest and DPA shall jointly carry out activity to remove encroachment and prevent further distraction as decided in previous meeting. Earlier communication has been made to DPT several times but no effective action has been taken.
- Therefore,once again MS, DLCRZ has requested DPT vide letter dated: 06/02/2025 to remove all encroachment in CRZ area and submit compliance within 15 days to the DLCRZ Committee which is attached as **Annexure-13**.

- Also, GPCB Regional Office, Kutch East has requested the Chief Engineer DPT vide letter dated: 17/02/2025 to remove all encroachment in CRZ Area in coordination with Forest department and this office which is attached as **Annexure-14**.
- Notice has been issued to DPT by MS, DLCRZ on date: 24/02/2025 with below mentioned points which is attached as **Annexure-15**:
 - Remove all encroachment of illegal salt pans in DPA Area.
 - Carry out mangrove restoration activity in DPA area where destruction of mangroves has been taken place due to salt pans encroachment
 - Submit time bound action plan for above mentioned activity to comply with Honorable NGT Order in matter no: 111/2018 & E.A. 12/2020.

-----X-----

List of Annexure	
1	Advisory notice issued dated: 02/03/2018
2	Letter to GCZMA by the Chairman DLCRZ & District Collector, Kutch dated: 28/03/2018
3	Direction dated: 20/04/2018 issued by Additional Chief Secretary, Forest & Environment Department & Chairman, GCZMA to DPT.
4	Direction dated: 12/06/2019 issued by Additional Chief Secretary, FED to the Chairman Deendayal Port Trust, GCZMA to DPT.
5	Copy of FIR lodged by MS, DLCRZ
6	Direction dated: 05/11/2020 issued by Additional Chief Secretary, FED to the Chairman Deendayal Port Trust, GCZMA to DPT.
7	Letter issued to Chairman, DPT dated: 11/10/2023.
8	Resolution passed by DLCRZ
9	Letter to DPT dated: 02/08/2024
10	Letter issued to DPT dated: 04/10/2024 by MS, DLCRZ
11	Letter issued to DPT dated: 15/10/2024 by Chairman, DLCRZ
12	Report received from DCF, Kutch East dated: 03/12/2024
13	Letter issued to DPT dated: 06/02/2024 by MS, DLCRZ
14	Letter issued to Chief Engineer, DPT dated: 17/02/2024 by GPCB Regional Officer, Kutch East
15	Notice issued to DPT dated: 24/02/2025 by MS, DLCRZ



Office of the Collector, Kachchh.

Bhuj - 370 001. (Gujarat)

Tel. : (O) 250020, R. 250350

Fax : 250430

E-mail : collector-kul@gujarat.gov.in

ADVISORY LETTER

Whereas the Ministry of Environment Forests and Climate Change, Government of India has issued Coastal Regulation zone (CRZ) Notification, 2011 under the provisions of the Environment (Protection) Act, 1986.

AND whereas the provisions of the CRZ Notification, 2011 are also applicable in the State of Gujarat.

AND whereas as per the CRZ Notification 2011 issued by the Ministry of Environment and Forests Government of India, area between 500 Mtrs from the HTL and area between HTL and water area up to 12 nautical miles from the LTL are classified as CRZ area.

AND Whereas the areas within the CRZ are classified as CRZ-1(A), CRZ I (B), CRZ-II, CRZ-III and CRZ-IV and various industrial and development activities are regulated within the CRZ area and prior permission of the competent Authority is a must for commencing any activity within the CRZ areas.

AND whereas as per the CRZ Notification 2011 existing mangroves are required to be protected and it should not allowed to be damaged or destructed as it is classified as Ecologically Sensitive Area.

AND Whereas District Level committee CRZ meeting held on dated 08/03/2018 and details discussion of representation received from the Kachchh Camel Breeders' Association dated 22/02/2018 and site inspection reports of Dy. Conservator of Forest, Kutch-East dated 26/02/2018 & Regional office, Gujarat Pollution Control Board, Kutch-East; it is concluded that destruction of the mangroves are taking place at Village: Bhachau & Vondh, Taluka: Bhachau, Dist.: Kutch due construction activity of salt pans and also constitute the subcommittee for detail site inspection of destruction of the mangroves at Village: Bhachau & Vondh, Taluka: Bhachau, Dist.: Kutch and the subcommittee has submitted site inspection report vide letter no:-B/LAND/T-9/55242/2017-18 dated 15/03/2018.

AND whereas the sub-committee has observed during site inspection dated 14/03/2018 as follows:

- ✓ Representatives of Deendayal port trust present during the inspection have informed that the said area, total five plots admeasuring an area of 3500 acre, is leased out for salt production activity to Ms. Shree Jyoti Salt Industries and Ms. Shri Ram Salt Supply.
- ✓ It is observed that obstructions are created along the creeks by way of constructing earthen bunds / roads which in due course of time affect the very survival of the mangroves in the vast area and its associated biodiversity.
- ✓ Uprooted mangroves were evident from the cuttings and remains of Mangroves plant parts in the visited areas.
- ✓ Land leveling was noticed which affect the minor creek system within the area.
- ✓ All the above activities resulted in the destruction of mangroves habitats and removal of mangroves in an area of about 750 acres. Out of which, 250 acres area can be categorized as moderately dense mangroves and balance 500 acres can be classified as open mangrove (spare mangrove).
- ✓ The committee has also noticed extensive construction of earthen buildings even beyond the five said plots. Since the length of buildings is extensive, it is very difficult to predict the exact impact area due to bunding. Never the less, this could impact several folds of the lease areas mentioned above.
- ✓ The building/ leveling activity is carried out since two-two and half months.
- ✓ Since the area falls under mangroves, i.e.; CRZ I-A, any activity without prior permission on habitat alterations or removal of mangroves is a case of clear violation of CRZ notification 2011 and amendrnt thereof.

AND whereas the sub-committee has made the following recommendations:

1. To stop all the activities immediately in the said area.
2. To restore the free flow water in the creeks/creek lets by removing all earthen bunds / roads.
3. Since the area falls under CRZ category I-A, all the leases should be cancelled with immediate effect and legality should be followed.
4. The restoration plan needs to be prepared for the impacted and surrounding areas and effective implementation should be envisaged with appropriate monitoring mechanism.

NOW therefore you are hereby advice for:

1. To stop all prohibited activities immediately in CRZ area and restore the pre-conditions by removing bunds and obstruction made to stop the free flow of tidal water.
2. To stop carrying out any activity in and around the inter tidal areas which are affecting the mangroves, blocking the creeks, disturbing the natural flow of tidal waters and commenced without obtaining prior clearance from the competent Authority are in violation of the provision of the CRZ notification.
3. To cancel all such leases with immediate effect which falls under CRZ category I-A area.
4. To stop any activity in the CRZ-I (A) area, which is classified as ecologically Sensitive areas as per CRZ Notification.
5. To prepare restoration plan for the impacted and surrounding areas including its effective implementation monitoring plan and submit within fortnight

Failing to comply with the advisory issued hereinabove you will be held responsible for non-compliance of the provisions of the Environment (Protection) Act, 1986.

(Remya Mohan)

District Collector and District Magistrate-Kutch &
Chairman of District Level CRZ Committee.

No.GPCB/CRZ/T-55(2)/118

28 MAR 2018

Date:

To,
Deendayal Port Trust,
P.O, Box No - 50, Admin. Office Building,
Tagore Road,
Gandhidham(Kutch) -370201

Copy to:
Gujarat Coastal Zone, Management Authority,
Forest & Environment Department,
Block No:-14, 8th Floor,
Sachivalaya, Gandhinagar.-382010.



Gujarat Pollution Control Board

Regional Office – Kutch-West
Katira Complex – 1, Sanshkar Nagar, Mangalam Char Rasta,
Bhuj - Kutch – 370001. Phone : (02832) 250620 Fax : (02832) 250621.

No:GPCB/RO/KUT-WEST/CRZ/T-55(2)/148

DR-

To,
Shri K.C.Mistry,
Director(Environment) & Additional Secretary,
Forest & Environment Department,
Block No:14,8th Floor,Sachivalay,
Gandhinagar.

Subject: Action Taken Report regarding representation received about destruction of mangrove in Nani cherai and Moti Cheri, Taluka : Bhachau, Dist:Kutch.
Ref: ENV-10-2018-20-E(T-Cell) dated 26/02/2018

Respected Sir,

With reference to the representation received regarding destruction of mangroves in Nani Cherai and Moti Cherai, Taluka : Bhachau, Dist:Kutch, District Level CRZ committee meeting was held on 08/03/2018 at 17:00 Hrs at District Collector Office, Bhuj. With respect to this, following decisions were taken and Action against that decision is summarized in the table as follows

Sr. No.	Decision	Action Taken
1.	To constitute the Sub-Committee and inspect the said area.	1.A Sub-Committee had been constituted having members from District Level CRZ Committee and special invitees. A joint inspection had been carried out of the site at 10:00Hrs on 14/03/2018 for verification of grievances raised by Kutch camel breeders association. The site inspection report has been prepared by the Sub-committee with observations & recommendations which are submitted by Dy. Conservator of forest Kutch East Division vide letter no. B/LAND/T.9/55242/207-18.
2.	To appraise State Government to direct Deendayal Port trust to cancel all leases and take action under The Environment Protection Act,1986.	2.The District Level Committee has recommended State Government to direct Deendayal Port Trust to cancel all such leases and to take all necessary actions under The Environment Protection Act, 1986. vide letter no: GPCB/CRZ/T-55(2)/119. dated 28/03/2018
3.	To issue advisory letter to Deendayal Port Trust.	3.Advisory letter has been issued to Deendayal Port Trust, Gandhidham letter wide no: GPCB/CRZ/T-55(2)/118. dated 28/03/2018.

This is for your information and further needful action.

Enclosures: As above.

Your Faithfully,

R.P.Gupta,

Member Secretary & Regional Officer,
RO-KUTCH-WEST.

Inward No SBL

Date: 07/05/18

Sign. [Signature]



ENV-10-2018-20-E

GOVERNMENT OF GUJARAT

Forests & Environment Department

Block no. 14, 8th floor

Sachivalaya, Gandhinagar - 382 010

Gujarat, INDIA

Tel: (079) 232510510, 23251053

Fax: (079) 23252156

ARVIND AGARWAL, IAS
ADDITIONAL CHIEF SECRETARY

Email: secfed@gujarat.gov.in

Date: April 20, 2018

Directions under section 5 of the Environment (Protection) Act, 1986.

Whereas the Ministry of Environment, Forests and Climate Change, Government of India has issued Coastal Regulation Zone (CRZ) Notification, 2011 under the provisions of the Environment (Protection) Act, 1986

AND Whereas the provisions of the CRZ Notification, 2011 are also applicable in the State of Gujarat

AND Whereas as per the CRZ Notification 2011 issued by the Ministry of Environment and Forests, Government of India, area between 500 Mtrs from the HTL and areas between HTL and LTL, and water area upto 12 nautical miles from the LTL are classified as CRZ area.

AND Whereas the areas within the CRZ are classified as CRZ-I(A), CRZI(B), CRZ-II, CRZ-III and CRZ-IV and various industrial and developmental activities are regulated within the CRZ area and prior permission of the competent Authority is a must for commencing any activity within the CRZ areas.

AND Whereas as per the CRZ Notification 2011, existing mangroves are required to be protected and it should not allowed to be damaged/destroyed, since it is classified as ecologically Sensitive areas

AND Whereas this Department received the representation mentioning destruction of the mangroves are taking place at village : Nani Chirai and Moti Chirai Taluka: Bhachauh Dist: Kutch.

AND Whereas as per the site visit report of the sub-committee of District Level Committee, Kutch constituted by the State Government, there is violations of CRZ Notification 2011 by five plots to whom the leases have been granted by the Deendayal Port Trust at Bhachau/Vandh areas of Kutch District, for salt manufacturing

AND Whereas it has been reported that obstructions are created along the creeks by way of constructing earthen bunds/roads which is in due course of time affects the very survival of mangroves in a vast area and its associated biodiversity. Uprooted mangroves were evident from the cutting and remains of mangrove plant parts in the visited areas. It was also reported that land levelling has been done which affects the minor creek system within area.

P1. patrup
AEE
05/5/2018

AND Whereas all the above activities resulted in destruction of mangroves habitat and removal of mangroves in area of @ 750 acres. Out of which, 250 acres area can be categorised as moderately mangrove and balanced 500 acres can be classified as open mangrove/sparse mangroves

AND Whereas the sub-committee has also noticed extensive construction of earthen bundings even beyond the five above said plots. Since the length of bundings were extensive it was very difficult to predict the exact impact area due to bundings. Never the less, this could impact several folds of the leases areas as mentioned above. The bundings/levelling activity was carried out since two—two and half months, without obtaining any permission under CRZ Notification 2011

AND Whereas it has not obtained any prior clearance, which is mandatory for commissioning of any construction activities in CRZ areas.

NOW, in view of the above and the fact that you are destroying the mangrove habitats, you are hereby directed to:

1. To stop all activities immediately in the said area.
2. To restore the free flow water in the creeks/creek lets by removing all the earthen bunds/roads.
3. Since areas falls under CRZ Category I-A, all the leases should be cancelled with immediate effect and legality should be followed.
4. The restoration plan needs to be prepared for the impacted and surrounding areas and effective implementation should be envisaged with appropriate monitoring mechanism.

Failing to comply with the directions issued hereinabove, you will be held responsible for non-compliance of the directions, which ultimately would attract the provisions of the Environment (Protection) Act, 1986.

—sd—

(Arvind Agarwal)

Additional Chief Secretary,

Forests and Environment Department

To,

Shri Sanjay Bhatia, IAS
Chairman,
M/S Deendayal Port Trust,
P.O.Box No- 50, Admin Office Building,
Tagore Road, Gandhidham,
Dist: Kutch

Copy to:

1. Ms. Remya Mohan , IAS
Collector & District Magistrate & Chairman, DLC
Collector Office, Bhuj
District: Kutch--- With a request to ensure that above mentioned directions are complied with by M/S Deendayal Port Trust and to ensure the compliance of above directions and there shall be no violations of CRZ Notification 2011 take place in your jurisdictions.
- ✓ 2. Shri R.P.Gupta,
Regional Officer, GPCB and Member Secretary, DLC
Gujarat Pollution Control Board,
Bhuj-- With a request to ensure that above mentioned directions are complied with by M/S Deendayal Port Trust and to ensure the compliance of above directions and there shall be no violations of CRZ Notification 2011 take place in your jurisdictions.
- 3 Shri K.C.Mistry
Member Secretary,
Gujarat Pollution Control Board,
Sector-10A, Gandhinagar--- To direct the concerned Regional officers of GPCB to ensure that there shall be no violations of CRZ Notification 2011 take place in their respective jurisdictions


(Anand Agarwal)
Additional Chief Secretary,

Forests and Environment Department



DR. RAJIV KUMAR GUPTA, IAS
ADDITIONAL CHIEF SECRETARY

ENV-10-2018-20-NGT-27
GOVERNMENT OF GUJARAT
Forests & Environment Department
Block no. 14, 8th floor
Sachivalaya, Gandhinagar - 382 010
Gujarat, INDIA

Tel: (079) 232510510, 23251053

Fax: (079) 23252156

Email: secfed@gujarat.gov.in

Date: June 12, 2019

Directions under section 5 of the Environment (Protection) Act, 1986.

Whereas the Ministry of Environment, Forests and Climate Change, Government of India has issued Coastal Regulation Zone (CRZ) Notification, 2011 under the provisions of the Environment (Protection) Act, 1986

AND Whereas the provisions of the CRZ Notification, 2011 are also applicable in the State of Gujarat

AND Whereas as per the CRZ Notification 2011 issued by the Ministry of Environment and Forests, Government of India, area between 500 Mtrs from the HTL and areas between HTL and LTL, and water area upto 12 nautical miles from the LTL are classified as CRZ area.

AND Whereas the areas within the CRZ are classified as CRZ-I(A), CRZI(B), CRZ-II, CRZ-III and CRZ-IV and various industrial and developmental activities are regulated within the CRZ area and prior permission of the competent Authority is a must for commencing any activity within the CRZ areas.

AND Whereas as per the CRZ Notification 2011, existing mangroves are required to be protected and it should not have allowed to be damaged/destroyed, since it is classified as Ecologically Sensitive Areas

AND Whereas this Department received the representation from Kuchchh Kamel Breeders Association mentioning destruction of the mangroves are taking place and blocking of creeks at Jangi area of Deen Dayal Port Trust Dist: Kutch through District Level Committee on 09-05-2019

AND Whereas as per the site visit report of the sub-committee of District Level Committee, Kutch constituted by the State Government, this areas are unapproachable and falls under jurisdiction of Deendayal Port Trust. It is further reported that there is unauthorized occupation, attempt of encroachment, illegal activities are taking place and there are violations of Environment Laws.

AND Whereas the National Green Tribunal, New Delhi has taken this issues very seriously on 08-05-2019 in the IA No- 20 of 2019 has directed State Government to take immediate actions without waiting further for Committee's report.

NOW, in view of the above and the fact that activities regarding destroying the mangrove habitats , blocking of creeks are taking place under your jurisdiction , you are hereby directed to:

1. To Stop carrying out any activity in and around the intertidal areas which are affecting the mangroves, blocking the creeks and disturbing the natural flow of tidal waters, and commenced without obtaining prior clearance from the competent authority and are in violation of the provision of the CRZ notification.
2. Remove all the bunds which are blocking the Creeks and all the expenditure in this regard shall be borne by the DDPT.
3. Stop the construction of bunds of any kind anywhere within CRZ areas of this region as well as in DDPT areas.
4. Cancel all the leases granted for salt manufacturing in the CRZ-I(A) area , which is classified as ecologically Sensitive areas as per CRZ Notification, and who are in violation of CRZ Notification
5. Prepare a restoration Plan for the impacted and surrounding mangrove areas and effective implementation should be done by the DDPT with an appropriate Mechanism
6. An Action Taken report in this regard shall be submitted immediately.

Failing to comply with the directions issued hereinabove, you will be held responsible for non-compliance of the directions, which ultimately would attract the provisions of the Environment (Protection) Act, 1986.



(Dr. Rajiv Kumar Gupta, IAS)

Additional Chief Secretary,

Forests and Environment Department

To,

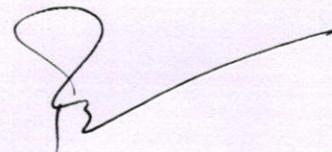
The Chairman,
M/S Deendayal Port Trust,
P.O.Box No- 50, Admin Office Building,
Tagore Road, Gandhidham ,
Dist: Kutch

Copy to:

1. Ms. Remya Mohan , IAS
Collector & District Magistrate & Chairman, DLC
Collector Office, Bhuj
District: Kutch--- With a request to ensure that above mentioned directions are complied with by M/S Deendayal Port Trust and to ensure the compliance of above directions and there shall be no violations of CRZ Notification 2011 take place in your jurisdictions. Also file a FIR against known or unknown persons who are found to be indulging in illegal activity of cutting mangrove

2. Dr. S.N. Agrawat ,
Regional Officer, GPCB and Member Secretary, DLC
Gujarat Pollution Control Board,
Bhuj-- With a request to ensure that above mentioned directions are complied with by M/S Deendayal Port Trust and also file FIR against known or unknown persons who are found to be indulging in illegal activity of cutting mangrove and there shall be no violations of CRZ Notification 2011 take place in your jurisdictions.

3. Shri K.C.Mistry
Member Secretary,
Gujarat Pollution Control Board,
Sector-10A, Gandhinagar--- To direct the concerned Regional officers of GPCB to file a FIR against known or unknown persons who are found to be indulging in illegal activity of cutting mangrove ensure that there shall be no violations of CRZ Notification 2011 take place in their respective jurisdictions



(Dr. Rajiv Kumar Gupta, IAS)

Additional Chief Secretary,
Forests and Environment Department

o/c



FIRST INFORMATION REPORT

પ્રથમ માહિતી અહેવાલ

(Under Section 154 Cr.P.C.)

(ફોજદારી કાર્યસંહિતાની કલમ 154 હેઠળ.)

- 1 District કચ્છ પૂર્વ- ગાંધીધામ Police Station (પોલીસ સ્ટેશન) સામખીયા રી (વર્ષ) Year 2019 FIR No. 1/33/ (પ્ર.મા.અ. 2019 ક્રમાંક) Date 24/06/ (તારીખ 2019)
- 2 (i) Act આઈ પી સી (અધિનિયમ) Sections 447,283 (કલમો)
- 3 (a) Occurrence of offence : (ક) (ગુન્હો બન્યાનો સમયગાળો)
 Day. સોમવાર Date from (તારીખથી) Date to 24/06/2019 (તારીખ સુધી)
 Time Period (સમયગાળો) Time from (કલાકથી) Time to 22:00 (કલાક સુધી)
- (b) Information received at Date 24/06/2019 Time 22:30
 (ખ) PS: (તારીખ) (સમય)
 (પોલીસ મથકે માહિતી મળ્યા)
- (c) General Diary Reference : Time
 (ગ) Entry No. (સમય)
 (સ્ટેશન ડાયરી સંદર્ભ: એન્ટ્રી નં)
- 4 Type of Information : (માહિતીનો પ્રકાર) પોલીસ સ્ટેશનમાં લખીને મોકલેલ
- 5 Place of Occurrence : (ઘટનાનું સ્થળ)
- (a) Direction and distance from P. દક્ષિણ, 15.00 (કિ.મી Beat No
 (ક) S.)
 (પોલીસ સ્ટેશનથી દિશા અંતર) (બીટ નંબર)
- (b) Address ગામ. જંગી, (સરનામું) તા. ભચાઉ, જી. કચ્છ પૂર્વ- ગાંધીધામ, પો.સ્ટે.થી દક્ષિણે કિ.મી. ૧૫ દુર જંગી ગામની બાજુમાં આવેલ દરિયાઈ ખાડી વિસ્તારમાં સદરબીટ સામખીયારી .
- (c) In case, outside the limit of this Police Station , then (ગ) (પોલીસ સ્ટેશનની હદની બહાર હોય તો તે પોલીસ સ્ટેશનનું નામ)
 Name of P.S. District
 (પોલીસ સ્ટેશનનું નામ) (જિલ્લો)
 મ)
- 6 Complainant /Informant : (ફરિયાદી / બાતમીદાર)
- (a) Name ડો.સુરેશકુમાર (b) Father's/ નરભેરામ અગ્રાવત



(ક) (નામ) નરભેરામ અગ્રા (ખ) Husband's
વત Name
(પિતા/પતિનું
નામ)
(c) Date/Year of (d) Nationality ભારતીય
(ગ) Birth (ઘ) (રાષ્ટ્રીયતા)
(જન્મ તારીખ / વર્ષ)

(e)
(ડ)
(f)
(ચ)

Occupation

(ઘંથો)

સરકારી કર્મચારી નોન-ગેઝેટ્ડ

(g)
(છ)

Address

(સરનામું)

ગામ. ભુજ,

તા. ભુજ,

જી. કચ્છ પશ્ચિમ- ભૂજ,

ગુજરાત પોલ્યુશન કંટ્રોલ બોર્ડ કચ્છ પશ્ચિમ ભુજ અને મેમ્બર સેક્રેટરી ડીસ્ટ્રીક લેવલ સી.આર.ઝેડકમીટી કતીરા કોમ્પ
લક્ષ મંગલમ ચાર રસ્તા સંસ્કાર નગર ભુજ કચ્.

7 Details of known/suspected /unknown accused with full particulars :
(Attach sepearte sheet , if necessary)

(ઓળખાયેલ/શકમંદ/વણુઓળખાયેલ આરોપીની તમામ વિગતો સાથેની માહિતી)

(જરૂર જણાયતો અલાયદા કાગળ ઉપર વિગત દર્શાવવી)

નામ મમુદ ગવ્વી

8 Reasons for delay in reporting by the complainant /Informant
(ફરિયાદી/બાતમીદાર તરફથી ગુન્હાની જાણ કરવામાં વિલંબ થવાના કારણો)

-

9 Particulars of properties stolen (Attach sepearte sheet , if necessary)

(ચોરાયેલી/ગુન્હામાં સંડોવાયેલ ચીજ વસ્તુઓની વિગતો) (જરૂર જણાયતો અલાયદા કાગળ ઉપર વિગત દર્શાવવી).

10 Total value of property stolen

(ચોરાયેલી / ગુન્હામાં સંડોવાયેલ ચીજ વસ્તુઓની કુલ કિંમત
)

11 Inquest Report/U.D. case No. if any

(મૃત્યુ વિષયક તપાસ અહેવાલ / અકુદરતી મોતનો નંબર હો
ય તો તે)

12 First Information contents (Attach sepearte sheet , if required)

(પ્રથમ માહિતી અહેવાલની વિગતો)(જરૂર જણાયતો અલાયદો કાગળ જોડવો)

ઈ.પી.કો. કલમ ૪૪૭ ૨૮૩ મુજબ તે એવી રીતે કે આ બનાવ તારીખ સમયે અને જગ્યાએ આ કામના આરોપીએ જંગી
ગામની આજુબાજુ આવેલા દરિયાઈ પટ્ટી વિસ્તારમાં ગુન્હાહિત અપ્રવેશ કરી કુદરતી રીતે વહેતા પાણીના વહેણને પાળા
બાંધી પાણી રોકી અડચણ ઉભી કરી ત્યાં રહેલા ચેરીયાના વૃક્ષોને જરૂરી પાણી નહીં પહોંચવા દઈ ગુન્હો કર્યો બાબત.



Complaint (ફરિયાદ)

ડો. સુરેશકુમાર નરભૈરામ અગ્રાવત (ઉ.વ ૪૨)

ઈન્ચાર્જ રીજ્યનલ ઓફીસર

ગુજરાત પોલ્યુશન કન્ટ્રોલ બોર્ડ કચ્છ પશ્ચિમ ભુજ અને મેમ્બર સેક્રેટરી ડીસ્ટ્રીક લેવલ સી.આર.ઝેડ.કમીટી

કતીરા કોમ્પલેક્સ, મંગલમ ચાર રસ્તા, સંસ્કારનગર

ભુજ કચ્છ ૩૭૦૦૦૧

મો નં ૯૮૨૫૧૪૦૫૦૦

તા.૨૪/૦૬/૨૦૧૯

પ્રતિ,

પોલીસ સબ ઈન્સપેક્ટરશ્રી,

સામખીયાળી પોલીસ સ્ટેશન

વિષય- જંગી ગામની આબુબાબુ આવેલ સરકારી જમીન ઉપર ગુન્હાહિત અપપ્રવેશ

તથા અડચણ કરનારા અજાણ્યા ઈસમો વિરૂધ્ધ ગુન્હો દાખલ કરવા બાબત.

સવિનય સાથે ઉપરોક્ત વિષય આધારે આપ સાહેબને જણાવવાનું કે, અમો જી.પી.સી.બી મા ઈન્ચાર્જ રીજ્યનલ ઓફીસર ર ગુજરાત પોલ્યુશન કન્ટ્રોલ બોર્ડ કચ્છ પશ્ચિમ ભુજ અને મેમ્બર સેક્રેટરી ડીસ્ટ્રીક લેવલ સી.આર.ઝેડ.કમીટીમા તરીકે ફરજ બજાવુ છું.

ગઈ તા-૦૩/૦૧/૨૦૧૯ ના રોજ કચ્છ ઉટ ઉછેરક માલધારી સંગઠન દ્વારા ચેરીયા સંરક્ષણ માટે આવેદન પત્ર મથાળા હેઠળ આવેદનપત્ર આપી રજૂઆત કરવામા આવેલ, જે રજૂઆત આધારે, માનનીય જીલ્લા કલેક્ટરશ્રી ના અધક્ષ સ્થાને મળેલ ડીસ્ટ્રીક લેવલ સી.આર.ઝેડ.કમીટીની મીટીંગમા, આ રજૂઆત બાબતે જોઈન્ટ ઈન્સ્પેક્શન કમીટીની રચના કરી તપાસ કરવાનો નિર્ણય થયેલ. જે આધારે તા-૦૮/૦૩/૨૦૧૯ ના રોજ જોઈન્ટ ઈન્સ્પેક્શન કમીટી કે જેમાં મામલતદારશ્રી ભયાઉ, પ્રાદેશિક અધીકારી જી.પી.સી.બી કચ્છ પૂર્વ, મદદનીશ મત્સ્યઉદ્યોગ નિયામક ભુજ, આર એફ ઓ ભયાઉ તથા કચ્છ ઉટ ઉછેરક માલધારી સંગઠનના પ્રતિનિધિ આદમભાઈ ભચુભાઈ જત નાઓ પ્રતિનિધિ હતા. આ કમીટીએ તા-૦૮/૦૩/૨૦૧૯ ના રોજ ઉપરોક્ત રજૂઆત આધારે સ્થળ તપાસ કરતા, જે તે વખતે આવી કોઈ પ્રવૃત્તિ ચાલુ હોવાનું જણાયેલ નહી પરંતુ સદર વિસ્તારની જમીન કે જે સરકારશ્રીની માલિકીની હોય પરંતુ હાલમાં ડી.પી.ટી ને લીઝ ઉપર આપવામા આવેલ હોય અને ડી.પી.ટી ના પ્રતિનિધિએ આ જમીન ઉપર અજાણ્યા ઈસમોએ ગુન્હાહિત અપપ્રવેશ કરી કુદરતી રીતે પાણીના વહેણને પાળા બાંધી, અડચણ ઉભી કરી, રોકી જેના કારણે ત્યા રહેલા ચેરીયાના વુક્ષોને જરૂરી પાણી નહી પહોચવા દઈ, અડચણ કરી ગુન્હો કરેલ હોવાનું જણાવેલ હોય અને અમોને આ બાબતે કાયદેસર ફરીયાદ કરવાનો હુકમ, અમારા વિભાગ

(પાના નં ૨)

તરફથી કરવામા આવેલ હોય, જેથી ઉપરોક્ત અજાણ્યા ઈસમોએ તા-૦૮/૦૩/૨૦૧૯ ના કોઈ પણ સમય પહેલા અને આ જદિન સુધી જંગી ગામની આબુબાબુ આવેલા દરિયા પટ્ટી વિસ્તારમા ગુન્હાહિત અપપ્રવેશ કરી, કુદરતી રીતે વહેતા પાણીના વહેણને પાળા બાંધી, પાણી રોકી અડચણ ઉભી કરી, ત્યા રહેલા ચેરીયાના વુક્ષોને જરૂરી પાણી નહી પહોચવા દઈ ગુન્હો કરેલ હોય, મારી તેઓના વિરુધ્ધમા ધોરણસર થવા ફરીયાદ છે.

આ મારી ફરીયાદ સાથે મારો તા-૨૪/૦૬/૨૦૧૯ નો અંગ્રેજીમા પોલીસ અધિક્ષકશ્રી પુર્વ કચ્છ ગાંધીધામને લખેલો પત્ર તેમજ તેની સાથેના બિડાણો રજૂ કરૂ છું.



(ડો. સુરેશકુમાર નરભેરામ અગ્રાવત)

ઇન્ચાર્જ રીજ્યનલ ઓફીસર

ગુજરાત પોલ્યુશન કન્ટ્રોલ બોર્ડ કચ્છ પશ્ચિમ ભુજ અને મેમ્બર સેક્રેટરી ડીસસ્ટીક લેવલ સી.આર.ઝેડ.કમીટી

- 13 Action Taken : Since the above information reveals commission of offence (s) u/s as mentioned at Item No. 2:

(લીધેલ પગલાં : ઉપરના અહેવાલની ઉપરની આઈટમ નં.(2) માં જણાવ્યા પ્રમાણેનો ગુન્હો બન્યાનું જણાઈ આવતા)

(1) Registered the case and took up the investigation or(કેસની નોંધણી કરી તપાસ હાથ ધરી છે)

(2) Directed (Name of I.O.) take up the Investigation or(તપાસ કરનાર અધિકારીનું નામ):-

Rank(હોદ્દો):- પોલીસ સબ ઇન્સપેક્ટર **ચુવરાજ સિંહ (સિમોદીયા) પો.મ.ઈ**
No.:- to take up the Investigation or(નંબર)

F.I.R. read over to the complainant /informant , admitted to be correctly recorded and a copy given to the complainant /informant , free of cost.

(પ્રથમ માહિતી અહેવાલ ફરિયાદી / બાતમીદારને વાંચી સંભળાવેલ છે અને ફરિયાદીએ લખાવ્યા પ્રમાણેજ નોંધવામાં આવેલ છે. તેવું ફરિયાદી / બાતમીદારે સ્વીકરેલ છે અને ફરિયાદી / બાતમીદારને તેની નકલ વિના મુલ્યે આપવામાં આવી છે.)

R.O.A.C.

(વાંચી સંભળાવવામાં આવ્યું અને તે બરાબર છે.)

Signature of Officer in charge,
Police Station

(પોલીસ મથકનો હવાલો ધરાવતા અધિકારીની સહી.)

- 14 Signature /Thumb Impression of the complainant / informant .

(ફરિયાદી/બાતમીદારની સહી/અંગૂઠાની છાપ)

Agents.N

Name **ચુવરાજ સિંહ દાપસિંહ ગોલા**
(નામ)

Rank **સી.પી.સી.** GPF No
(હોદ્દો) **પો. કોન્સ (અપીએફ નંબર)**

- 15 Date and time of dispatch to the court. 24/06/2019 22:30

(ફરિયાદ કોર્ટમાં રવાના કર્યોની તારીખ અને સમય)

ડો. સુરેશકુમાર નરભેરામ અગ્રાવત (ઉ.વ ૪૨)
 ઇન્યાર્જ રીજ્યનલ ઓફીસર
 ગુજરાત પોલ્યુશન કન્ટ્રોલ બોર્ડ કચ્છ પશ્ચિમ ભુજ
 અને મેમ્બર સેક્રેટરી ડીસ્ટ્રીક લેવલ
 સી.આર.ઝેડ.કમીટી
 કતીરા કોમ્પલેક્ષ, મંગલમ ચાર રસ્તા, સંસ્કારનગર
 ભુજ કચ્છ ૩૭૦૦૦૧
 મો નં ૯૮૨૫૧૪૦૫૦૦
 તા : ૨૫/૦૧/૨૦૧૭

પ્રતિ,

પોલીસ સબ ઇન્સ્પેક્ટરશ્રી,
 સામખીયાળી પોલીસ સ્ટેશન

વિષય- જંગી ગામની આજુબાજુ આવેલ સરકારી જમીન ઉપર ગુન્હાહિત અપપ્રવેશ
 તથા અડચણ કરનારા અજાણ્યા ઇસમો વિરુદ્ધ ગુન્હો દાખલ કરવા બાબત.

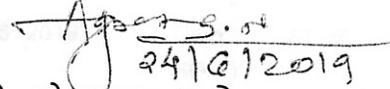
સવિનય સાથે ઉપરોક્ત વિષય આધારે આપ સાહેબને જણાવવાનું કે, અમો જી.પી.સી.બી મા ઇન્યાર્જ રીજ્યનલ ઓફીસર ગુજરાત પોલ્યુશન કન્ટ્રોલ બોર્ડ કચ્છ પશ્ચિમ ભુજ અને મેમ્બર સેક્રેટરી ડીસ્ટ્રીક લેવલ સી.આર.ઝેડ.કમીટીમાં તરીકે ફરજ બજાવુ છું.

ગઈ તા-૦૩/૦૧/૨૦૧૯ ના રોજ કચ્છ ઉટ ઉછેરક માલધારી સંગઠન દ્વારા ચેરીયા સંરક્ષણ માટે આવેદન પત્ર મથાળા હેઠળ આવેદનપત્ર આપી રજૂઆત કરવામા આવેલ, જે રજૂઆત આધારે, માનનીય જીલ્લા કલેક્ટરશ્રી ના અધ્યક્ષ સ્થાને મળેલ ડીસ્ટ્રીક લેવલ સી.આર.ઝેડ.કમીટીની મીટીંગમાં, આ રજૂઆત બાબતે જોઈન્ટ ઇન્સ્પેક્શન કમીટીની રચના કરી તપાસ કરવાનો નિર્ણય થયેલ. જે આધારે તા-૦૮/૦૩/૨૦૧૯ ના રોજ જોઈન્ટ ઇન્સ્પેક્શન કમીટી કે જેમાં મામલતદારશ્રી ભયાઉ, પ્રાદેશિક અધીકારી જી.પી.સી.બી કચ્છ પૂર્વ, મદદનીશ મત્સ્યઉદ્યોગ નિયામક ભુજ, આર એફ ઓ ભયાઉ તથા કચ્છ ઉટ ઉછેરક માલધારી સંગઠનના પ્રતિનિધિ આદમભાઈ ભયુભાઈ જત નાઓ પ્રતિનિધિ હતા. આ કમીટીએ તા-૦૮/૦૩/૨૦૧૯ ના રોજ ઉપરોક્ત રજૂઆત આધારે સ્થળ તપાસ કરતા, જે તે વખતે આવી કોઈ પ્રવૃત્તિ ચાલુ હોવાનું જણાયેલ નહી પરંતુ સદર વિસ્તારની જમીન કે જે સરકારશ્રીની માલિકીની હોય પરંતુ હાલમાં ડી.પી.ટી ને લીઝ ઉપર આપવામા આવેલ હોય અને ડી.પી.ટી ના પ્રતિનિધિએ આ જમીન ઉપર અજાણ્યા ઇસમોએ ગુન્હાહિત અપપ્રવેશ કરી કુદરતી રીતે પાણીના વહેણને પાળા બાંધી, અડચણ ઉભી કરી, રોકી જેના કારણે ત્યા રહેલા ચેરીયાના વૃક્ષોને જરૂરી પાણી નહી પહોચવા દઈ, અડચણ કરી ગુન્હો કરેલ હોવાનું જણાવેલ હોય અને અમોને આ બાબતે કાયદેસર ફરીયાદ કરવાનો હુકમ, અમારા વિભાગ

(પાના નં ૨)

તરફથી કરવામા આવેલ હોય, જેથી ઉપરોક્ત અજાણ્યા ઇસમોએ તા-૦૮/૦૩/૨૦૧૯ ના કોઈ પણ સમય પહેલા અને આજદિન સુધી જંગી ગામની આજુબાજુ આવેલા દરિયા પટ્ટી વિસ્તારમા ગુન્હાહિત અપપ્રવેશ કરી, કુદરતી રીતે વહેતા પાણીના વહેણને પાળા બાંધી, પાણી રોકી અડચણ ઉભી કરી, ત્યા રહેલા ચેરિયાના વુક્ષોને જરૂરી પાણી નહી પહોચવા દઈ ગુન્હો કરેલ હોય, મારી તેઓના વિરુધમા ધોરણસર થવા ફરીયાદ છે.

આ મારી ફરીયાદ સાથે મારો તા-૨૪/૦૬/૨૦૧૯ નો અંગ્રેજીમા પોલીસ અધિક્ષકશ્રી પુર્વ કચ્છ ગાંધીધામને લખેલો પત્ર તેમજ તેની સાથેના બિડાણો રજુ કરૂ છુ.


 (ડો. સુરેશકુમાર નરભેરામ અગ્રાવત)
 ઇન્ચાર્જ રીજ્યનલ ઓફીસર
 ગુજરાત પોલ્યુશન કન્ટ્રોલ બોર્ડ કચ્છ પશ્ચિમ ભુજ
 અને મેમ્બર સેક્રેટરી ડીસસ્ટીક લેવલ
 સી.આર.ઝેડ.કમીટી



383/c

S. M. Saiyad, IFS
Director (Environment) and
Member Secretary, GCZMA

Date: November 05, 2020

Directions under section 5 of the Environment (Protection) Act, 1986.

Whereas the Ministry of Environment, Forests and Climate Change, Government of India has issued Coastal Regulation Zone (CRZ) Notification, 2011 under the provisions of the Environment (Protection) Act, 1986

AND Whereas the provisions of the CRZ Notification, 2011 are also applicable in the State of Gujarat

AND Whereas as per the CRZ Notification 2011 issued by the Ministry of Environment and Forests, Government of India, area between 500 Mtrs from the HTL and areas between HTL and LTL, and water area upto 12 nautical miles from the LTL are classified as CRZ area.

AND Whereas the areas within the CRZ are classified as CRZ-I(A), CRZI(B), CRZ-II, CRZ-III and CRZ-IV and various industrial and developmental activities are regulated within the CRZ area and prior permission of the competent Authority is a must for commencing any activity within the CRZ areas.

AND Whereas as per the CRZ Notification 2011, existing mangroves are required to be protected and it should not have allowed to be damaged / destructed, since it is classified as Ecologically Sensitive Areas.

AND Whereas this Department received the representation mentioning destruction of the mangroves are taking place at village : Nani Chirai and Moti Chirai, Taluka: Bhachauh Dist: Kutch and Jhangi areas.

AND Whereas the Kutch Camel Breeders Association filed an Original Application No-111 /2018 before the Hon'ble NGT for destruction of mangroves and carrying activities within CRZ areas without obtaining necessary clearance under CRZ Notification 2011.

AND Whereas the Hon'ble NGT passed an order on 11-09-2019 and issued following directions:

- I. There shall be no obstruction of any kind in the creeks and free and continuous flow of estuarine water in the creeks will be ensured.
- II. The Forest Department, Government of Gujarat, GCZMA and Revenue Officials will jointly inspect the area to find out the persons who were responsible for obstruction

of creeks and take action in accordance with law including recovery of environmental damage and cost of restoration of mangrove damaged. This may be done within a period of one month.

- III. If there has been any activity is in violation of CRZ Notification 2011, the GCZMA will immediately take actions in accordance with law.
- IV. If there has been any activity in the mangroves area which are in contravention of the Forest (Conservation) Act, 1980 or any other law, the Forest Department will immediately take action in accordance with law.
- V. There shall be no salt manufacturing activity in CRZ – 1 area without following the due procedures provided under law/notification. If such activity is found the GCZMA will take action immediately to stop forthwith and initiate appropriate proceedings.
- VI. The quantum of damage caused to the mangroves shall be assessed by the GCZMA in accordance with laid down procedures and the same shall be recovered from the persons responsible for the same within a period of one month from today.
- VII. The Forest Department, Government of Gujarat will take immediate action to restore the mangroves which are damaged within a period of six (6) months from hence.

AND Whereas in compliance of the above said order, the GCZMA constituted a committee to visit areas under question. The Committee visited the areas under questions on 10-12-2019 and 11-12-2019. The Committee submitted its report to GCZMA and report was discussed in GCZMA meeting and the observations/recommendations of the Committee report were share with District Administration and Deendayal Port Trust for their comments. The Comments were received from both the organization.

AND Whereas the Kutch Camel Breeders Association filed an Execution Application No-12/2020 in OA No-111 of 2018 before the Hon'ble NGT for noncompliance of order dated 11-09-2019 passed by the Hon'ble NGT.

AND Whereas Hon'ble National Green Tribunal in its order dated 16/09/2020 in Execution Application No. 12/2020 in Original Application No. 111 / 2018 - Kachchh Camel Breeders Association Vs Union of India & Ors. directed that the amount determined be recovered expeditiously and restoration work be executed which may be overseen by a joint Committee comprising Forest Department and GCZMA. Forest Department will be the nodal agency for compliance.

No: GPCB/RO/Kutch-West/CRZ/T-55(G)/529
 To,
 The Chairman,
 Deendayal Port Trust,
 P.O, Box No: 50, Admin. Office Building,
 Tagore Road, Gandhidham(Kutch) -370201.

Date: 11/10/2023

Sub: Regarding Action to be taken in context of DLCRZ Sub-Committee site inspection dated: 27/07/2023 for the complaint received from Kutch Camel Breeders Association in the matter of Honorable National Green Tribunal OA. 111/2018 & E.A.12/2020.
 Ref: 1. MoM of the District Level CRZ Committee dated: 24/05/2023
 2. Site inspection of the Sub-Committee dated: 27/07/2023

This is in reference to the complaint of the Kutch Camel Breeders Association, Bhuj in the matter of Honorable National Green Tribunal OA. 111/2018 & E.A.12/2020 regarding large scale destruction of Mangroves in Vondh, Ambaliyara, Jangi, Chirai and nearby area was appraised in the District Level CRZ Committee meeting dated: 24/05/2023 and accordingly Sub-Committee was constituted was carrying out Site inspection of the claimed area which was conducted on: 27/07/2023.

The National Green Tribunal, New Delhi has taken this issues very seriously in the matter of O.A no: 111/2018 and in the E.A. 12/2020. Also, following Directions under Section-5 of the Environment (Protection) Act, 1986 was issued to you vide letter no: ENV-10-2018-20-NGT-27 dated: 12/06/2019 as under;

- To stop carrying out activity in and around the intertidal areas which are affecting the mangroves, blocking the creeks and disturbing the natural flow of tidal waters.
- To remove all the bunds which are blocking the creeks
- To stop the construction of bunds of any kind anywhere within CRZ area
- To cancel all the leases granted for salt manufacturing in the CRZ 1-A area

However, violations of CRZ Notification, 2019 were noted during the Sub-Committee site inspection dated: 27/07/2023 under the Chairmanship of Sub-Divisional Magistrate, Bhachau as under;

- Large scale of the mangroves was observed destructed within DPT area.
- Bunds were constructed and resulting into obstruction of the creek water passage in CRZ 1 (A) Area.

In view of the above, you are requested to carry out following action

- To cancel all such leases which violates the provisions of the CRZ Notification, 2019 with immediate effect.
- To initiate bund removal activity in and around the inter tidal areas which are affecting the mangroves, blocking the creeks, disturbing the natural flow of tidal waters and commenced without obtaining prior clearance from the competent Authority are in violation of the provision of the CRZ notification.
- To initiate mangroves restoration procedure of the affected area and implement the measures to restore the pre-conditions.
- To create effective mechanism for complying with the provisions of CRZ Notification, 2019 within DPT area.

Thanking You.



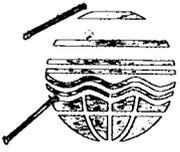
Amit Arora I.A.S

District Collector and District Magistrate-Kutch
 &
 Chairman of District Level CRZ Committee.

Enclosure: Site inspection report dated: 27/07/2023

Copy to,
The Chairman,
Gujarat Coastal Zone Management Authority,
Gandhinagar.....

For your information please



376

Annexure-8

GUJARAT POLLUTION CONTROL BOARD

Regional Office : Kutch - West

Katira Complex-1, Manglam Char Rasta, Sanskar Nagar, BHUJ-KUTCH : 370 001.
Ph. No. 02832-250620. E-mail : ro-gpcb-kutw@gujarat.gov.in • xgn site : gpcbagn.gujarat.gov.in

NO. GPCB/RO-KUTCH-WEST/CRZ/T-19 (I)/361

Date: 11 JUN 2024

Read:

1. The Environment (Protection) Act, 1986
2. Coastal Regulation Zone Notification 2019 issued by the Ministry of Environment and Forests, dated 18th January, 2019
3. G.R.No. ENV-10-2011-800-E dated 14th October, 2013 issued by Forest and Environment Department, Government of Gujarat
4. Notification S.O. 2763(E) issued by the Ministry of Environment and Forests, dated 10th November, 2010
5. Notification S.O. 4648(E) issued by the Ministry of Environment and Forests, dated 30th September, 2022
6. The Code of Criminal Procedure, 1973
7. Hon'ble NGT order in O.A. No. 1034/2018 dated 13.12.2018
8. Minutes of Meeting of District Level CRZ Committee dated 01.11.2023

General:

In exercise of the powers conferred by Section 3 of the Environment (Protection) Act, 1986, the Central Government has the power to take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of the environment and preventing controlling and abating environmental pollution.

In exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, in supersession of the Coastal Regulation Zone Notification 2011, number S.O. 19(E), dated the 6th January, 2011 & by notification of the Government of India in the Ministry of Environment and Forests dated 18th January, 2019, the Central Government, with a view to conserve and protect the unique environment of coastal stretches and marine areas has declared the coastal stretches of the country and the water area up to its territorial water limit as Coastal Regulation Zone;

As per Section 23 of the Environment (Protection) Act, 1986, the Central Government, by notification in the Official Gazette, is empowered to delegate its powers and functions to any officer, State Government or other authority.

As per para 9 (iii) of CRZ Notification, 2019, the State Government Coastal Zone Management Authority has been constituted which is primarily responsible for enforcing and monitoring of CRZ notification and to assist in this task, the Gujarat State Government has constituted District Level Committee (DLC) under the Chairmanship of the District Magistrate vide G.R.No. ENV-10-2011-800-E dated 14th October, 2013. District Level Committee for Kutch district has been constituted vide notification no. જીપીસીબી/સીઆરઝેડ/૩૧૦/૨૦૧૫ dated 01.05.2015.

Search and Seizure/Confiscation:

In exercise of the powers conferred by sub-section (1) of section 10 of the Environment (Protection) Act, 1986; central government has empowered Chairman, Member Secretary of all the State Coastal Zone Management Authorities with rights to enter, with such assistance as considered necessary, any place for the purpose of examining and testing any equipment, industrial plant, record, register, document or any other material object or for conducting a search of any building in which they have reason to believe that an offence under this Act or the rules made thereunder has been or is being or is about to be committed and for seizing any such equipment, industrial plant, record, register, document or other material object if they have reason to believe that it may furnish evidence of the commission of an offence punishable under this Act or the rules made thereunder or that such seizure is necessary to prevent or mitigate environmental pollution by S.O. 4648 (E) dated 30.09.2022.

As per section 10 (4) of the Environment (Protection) Act, 1986, the provisions of the Code of Criminal Procedure, 1973 will be applied to any search or seizures under Section 10 (1) of the Act as they apply to any search or seizure warrant issued under Section 94 of the said Code.

As per para 18 of G.R.No. ENV-10-2011-800-E dated 14th October, 2013, materials and assets forfeited and confiscated from the site of violation are to be kept in custody of Forest Department or Police Department.

378

In view of the above and as per DLC meeting dated 01.11.2023, the committee hereby resolved to empower following officers on behalf of DLC to forfeit and confiscate any materials and/or assets used for violation of Coastal Regulation Zone Notification, 2019:

Sr.No	Name and Designation
1	Sub-Divisional Magistrate/Mamlatdar – Within their respective jurisdiction
2	Regional Officer, Gujarat Pollution Control Board – Within their respective jurisdiction
3	Assistant Conservator of Forests / Range Forest Officer – Within their respective jurisdiction

The committee further resolved that such confiscated materials are to be kept under the custody of concerned Forest Department.

Removal of Encroachment/Violations:

Para (10) of G.R.No. ENV-10-2011-800-E dated 14th October, 2013 states that the district committee is responsible for removal of encroachments and unauthorized structures in coastal areas of CRZ-I, CRZ-II and CRZ-III.

In view of the above, the committee resolved to empower Sub-Divisional Magistrate/ Mamlatdar for removal of encroachments and unauthorized structures violating the CRZ Notification, 2019 in their respective jurisdiction.

Levy Penalty and Recover Cost:

Para (11) of the Hon'ble NGT order in O.A No. 1038/2018 dated 13.12.2018 states that "Needless to say that it will be open to the SPCBs/ Committees and CPCB to take coercive measures including recovery of compensation for the damage to the environment on 'Polluter Pays' principle as well as also to direct taking of such precautionary measures as may be necessary on the basis of 'Precautionary principle'".

As per para (10) of G.R.No. ENV-10-2011-800-E dated 14th October, 2013, District Collector being the Chairman of the Committee is directed to use powers as vested in him to levy penalty or to recover cost from unauthorized constructions.

379

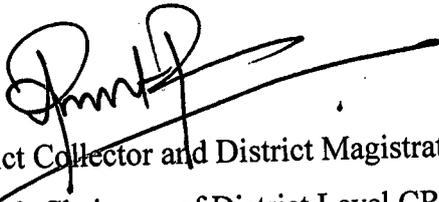
CPCB has published report on in-house committee methodology for assessing environmental compensation and action to utilize the fund.

The committee hereby resolved that any proposal to recover the cost has to be submitted by concerned Sub-Divisional Magistrate with reference to the above guidelines to the committee for approval.

Offense Registration

In exercise of the powers conferred under clause (a) of Section 19 of the Environment (Protection) Act, 1986, central government has authorized Sub-Divisional Magistrate within their jurisdiction for filing complaints under Environment (Protection) Act, 1986 by S.O. 2763(E) dated 10.11.2010.

The committee hereby resolved that complaints for any violation if any under the Environment (Protection) Act, 1986, are to be filed by the concerned Sub-Divisional Magistrate in their respective jurisdiction in the competent court.



District Collector and District Magistrate-
Kutch & Chairman of District Level CRZ
Committee (DLCRZ)



Regional Officer, Kutch (West), GPCB &
Member-Secretary of District Level CRZ
Committee (DLCRZ)

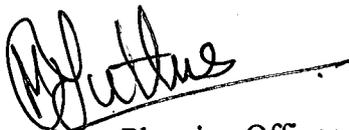


11.6.24

Deputy Conservator of Forests, Kutch-East,
Member- DLCRZ



Deputy Conservator of Forests, Kutch-West,
Member- DLCRZ



District Town Planning Officer,
Member- DLCRZ



Port Officer, Gujarat Maritime Board,
Member- DLCRZ

Zankar
11/6/24
Assistant Director, Fisheries Dept.,
Member- DLCRZ

Fals
Regional Officer, GPCB, Kutch-East,
Member- DLCRZ

Chief Officer, Gandhidham,
Member- DLCRZ

Chief Officer, Anjar,
Member- DLCRZ

Chief Officer, Bhachau,
Member- DLCRZ

Chief Officer, Mandvi,
Member- DLCRZ

Member- DLCRZ

Member- DLCRZ

Member- DLCRZ

No: GPCB/RO/Kutch-West/CRZ/T-19(I)/14/SOI
 To,
 The Chairman,
 Deendayal Port Trust,
 P.O, Box No: 50, Admin. Office Building,
 Tagore Road, Gandhidham(Kutch) -370201.

Date: 02/08/2024

Sub: Regarding submission of action taken report in view of complaint received from Kutch Camel Breeders Association regarding destruction of mangroves, creeks and violation of NGT order in Village: Vondh & Bhachau, Ta: Bhachau by Deendayal Port Authority (DPA) and point no. 3.4 of violation cases mentioned in Report No-3 by CAG.

Ref: 1. MoM of the District Level CRZ (DLCRZ) Committee dated: 11/06/2024
 2. CAG Report No-3 of Year 2022

Respected Sir,

This is in reference to the complaint of the Kutch Camel Breeders Association, Bhuj regarding large scale destruction of mangroves in Vondh, Hadkiya Creek, Nani-Bet, Gulamsha Pir Dargah, Jangi, Chirai and nearby areas. The said issue was taken into consideration by Hon'ble NGT in the O.A. no. 111/2018 and E.A 12/2020.

Following directions under Section-5 of the Environment (Protection) Act, 1986 was issued to you vide letter no: ENV-10-2018-20-NGT-27 dated: 12/06/2019:

- To stop carrying out activity in and around the intertidal areas which are affecting the mangroves, blocking the creeks and disturbing the natural flow of tidal waters.
- Remove all the bunds which are blocking the creeks
- Stop the construction of bunds of any kind anywhere within CRZ area
- Cancel all the leases granted for salt manufacturing in the CRZ 1-A area

The said matter was further appraised in the DLCRZ meeting dated 24.05.2023 wherein joint-committee was constituted and carried out inspection of claimed area on 27.07.2023 under the Chairmanship of Sub-Divisional Magistrate, Bhachau. The inspection report mentioned following non-compliances:

- Large scale destruction of the mangroves was observed within DPT area.
- Bunds are formed to block the creek water passage in CRZ 1 (A) Area.

Also, CAG has published report no. 3 on Performance Audit of Conservation and Management of Coastal Ecosystems in the year 2022 and as per point no. 3.4 of violation cases mentioned in the said report, same violation has been noted.

Letter w.r.t subjected matter was issued vide letter no. GPCB/RO-KUTCH-WEST/CRZ/T-55(H)/ 528 dated 11.10.2023 to take following action as under:

- To cancel all such leases which violates the provisions of the CRZ Notification, 2019 with immediate effect.
- To initiate bund removal activity in and around the inter tidal areas which are affecting the mangroves, blocking the creeks, disturbing the natural flow of tidal waters and commenced without obtaining prior clearance from the competent Authority are in violation of the provision of the CRZ notification.

- c. To initiate mangroves restoration procedure of the affected area and implement the measures to restore the pre-conditions.
- d. To comply with the provisions of CRZ Notification, 2019 within DPT area.

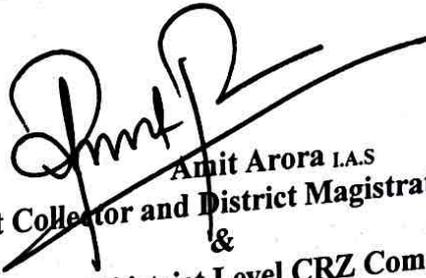
Also, letters w.r.t submission of action taken report was issued by Member Secretary, DLCRZ vide no. GPCB/RO-KUTCH-WEST/CRZ/T-55(H)/302 dated 06.06.2023 & GPCB/RO-KUTCH-WEST/CRZ/T-19(I)/258 dated 03.05.2024.

In view of the above, action taken has been submitted by your office vide letter no. LW/PL/3594/460 dated 28.05.2024.

Still representation is received by the committee that DPA has not complied in the matter. The representations received is from Insaf Sangathan Kutch stating non-removal of encroachment of land by DPT in the area from Kandla to Chirai

Therefore, you are hereby requested to kindly look into the matter and direct the concerned official to submit the compliance report w.r.t Hon'ble NGT and CAG audit report matter.

Thanking You.


Amit Arora I.A.S
District Collector and District Magistrate-Kutch
&
Chairman of District Level CRZ Committee.

Enclosure: As above.

NO. GPCB/RO-KUTCH-WEST/CRZ/T-19 (I)/ 14/687

To,
The Chief Engineer,
Deendayal Port Trust,
Engineering Department,
Office Building, Post Box No. 50,
Gandhidham- 370201, Kutch.

BY R.P.A.D

Date: 4 OCT 2024

The Deputy Chief Conservator of Forests,
Kutch-East Division,
Circle B/H. DIC Office, Near Moms school,
Bhuj-Kutch

Subject: Decision of DLCRZ Committee in submission of action taken report in view of complaint received from 1) Kutch Camel Breeders Association regarding destruction of mangroves, creeks and violation of NGT order in Village: Vondh & Bhachau, Ta: Bhachau by Deendayal Port Authority (DPA) 2) Point no. 3.4 of violation cases mentioned in Report No-3 by CAG 3) Insaf Sangathan Kutch dated 12.02.2024 regarding non-removal of encroachment of land by DPT in the area from Kandla to Chirai 4) Mr. Neel Vijhoda regarding destruction of mangroves from Surajbari to Chirai 5) Sandesh newspaper cutting dated 20.07.2024 regarding destruction of mangroves in Hadkiya creek, Kalo Dholo and Shawala area

Respected Sir,

As per Forest and Environment Department G.R.No.ENV-10-2011-800-E dated 14th October, 2013; District Level CRZ Committee (DLCRZ) has been formed for District Kutch vide no. GPCB/CRZ/310/2015 dated 01.05.2015. DLCRZ Committee meetings are conducted regularly in matter of representations/complaint received for violation of CRZ notification.

In this regard, the meeting of DLCRZ committee was held on 24.09.2024 under the chairmanship of District Collector and District Magistrate, Kutch. In this meeting above mentioned matter was discussed & as per DLCRZ Committee's decision, DPA along with Forest Department and GPCB, Regional Office, Kutch (East) shall take following actions:

1. Forest Department along with DPA shall re-verify the destructed mangrove area & remove illegal bunds due to salt encroachment with the help of machineries to be provided by DPA.
2. Restoration of mangrove areas shall be done by DPA.

3. Forest Department shall submit the reports along with names who has destructed mangroves due to salt encroachment so further action can be initiated as per laws.
4. As per Hon'ble NGT order in O.A. No. 111/2018 & E.A. No. 12/2020; Forest Department has carried out 350 hectares of mangrove plantation. In view of the same, Forest Department, GPCB, Regional Office, Kutch (East) & DPA shall re-verify the mangrove area including the area of Gulamshah Pir Dargah and additional salt encroachment, if any and submit the names of violators to the committee.
5. Forest Department and GPCB, Regional Office, Kutch (East) shall carry out random individual monitoring to prevent further mangrove destruction.
6. Forest Department shall prepare kml files of existing mangrove patches so as to prevent and avoid further mangrove destruction.

Kindly submit compliance of following mentioned points to the DLCRZ committee within 15 days.

**For and On Behalf of
Gujarat Pollution Control Board,**



**Regional Officer & Member
Secretary, DLCRZ**

Copy to:

1. The District Collector and District Magistrate, Kutchfor information please.
2. The Director (Environment) & Director (GCZMA), Forest & Environment Department, Block No - 14/8th Floor, Sachivalaya, Gandhinagar, Gujarat.for information please.
3. The Regional Officer, Regional Office, Kutch (East), Room No. 215-217, Administrative Office Bldg, Kandla Port Trust, Sector 8, Ta: Gandhidham - 370201, Dist: Kutch..... please co-ordinate with DCF & DPA and ensure timely submission of action taken report.

No: GPCB/RO/Kutch-West/CRZ/T-19(I)/14/722
 To,
 The Chairman,
 Deendayal Port Trust,
 P.O, Box No: 50, Admin. Office Building,
 Tagore Road, Gandhidham(Kutch) -370201.

Date: 15 OCT 2024

Sub: Regarding submission of action taken report in view of complaint received from Kutch Camel Breeders Association regarding destruction of mangroves, creeks and violation of NGT order in Village: Vondh & Bhachau, Ta: Bhachau by Deendayal Port Authority (DPA) and point no. 3.4 of violation cases mentioned in Report No-3 by CAG.

Ref: 1. Directions issued vide no: ENV-10-2018-20-NGT-27 dated: 12/06/2019
 2. Letter issued vide letter no. GPCB/RO-KUTCH-WEST/CRZ/T-55(H)/302 dated 06.06.2023
 3. Letter issued vide letter no. GPCB/RO-KUTCH-WEST/CRZ/T-55(H)/ 528 dated 11.10.2023
 4. Letter issued vide letter no. GPCB/RO-KUTCH-WEST/CRZ/T-19(I)/258 dated 03.05.2024
 5. Letter issued vide letter no. GPCB/RO-KUTCH-WEST/CRZ/T-19(I)/14/501 dated 02.08.2024
 6. MoM of the District Level CRZ (DLCRZ) Committee dated: 24/09/2024
 7. CAG Report No-3 of Year 2022

Respected Sir,

This is in reference to the complaint of the Kutch Camel Breeders Association, Bhuj regarding large scale destruction of mangroves in Vondh, Hadkiya Creek, Nani-Bet, Gulamsha Pir Dargah, Jangi, Chirai and nearby areas. The said issue was taken into consideration by Hon'ble NGT in the O.A. no. 111/2018 and E.A 12/2020.

Following directions under Section-5 of the Environment (Protection) Act, 1986 was issued to you vide letter no: ENV-10-2018-20-NGT-27 dated: 12/06/2019:

- To stop carrying out activity in and around the intertidal areas which are affecting the mangroves, blocking the creeks and disturbing the natural flow of tidal waters.
- Remove all the bunds which are blocking the creeks
- Stop the construction of bunds of any kind anywhere within CRZ area
- Cancel all the leases granted for salt manufacturing in the CRZ 1-A area

The said matter was further appraised in the DLCRZ meeting dated 24.05.2023 wherein joint-committee was constituted and carried out inspection of claimed area on 27.07.2023 under the Chairmanship of Sub-Divisional Magistrate, Bhachau. The inspection report mentioned following non-compliances:

- Large scale destruction of the mangroves was observed within DPT area.
- Bunds are formed to block the creek water passage in CRZ 1 (A) Area.

Also, CAG has published report no. 3 on Performance Audit of Conservation and Management of Coastal Ecosystems in the year 2022 and as per point no. 3.4 of violation cases mentioned in the said report, same violation has been noted.

Letter with reference to subjected matter were written vide no. GPCB/RO-KUTCH-WEST/CRZ/T-55(H)/ 528 dated 11.10.2023 to take following action as under:

- a. To cancel all such leases which violates the provisions of the CRZ Notification, 2019 with immediate effect.
- b. To initiate bund removal activity in and around the inter tidal areas which are affecting the mangroves, blocking the creeks, disturbing the natural flow of tidal waters and commenced without obtaining prior clearance from the competent Authority are in violation of the provision of the CRZ notification.
- c. To initiate mangroves restoration procedure of the affected area and implement the measures to restore the pre-conditions.
- d. To comply with the provisions of CRZ Notification, 2019 within DPT area.

Letters with respect to submission of action taken report were written vide no. GPCB/RO-KUTCH-WEST/CRZ/T-55(H)/302 dated 06.06.2023, GPCB/RO-KUTCH-WEST/CRZ/T-19(I)/258 dated 03.05.2024 and GPCB/RO-KUTCH-WEST/CRZ/T-19(I)/14/501 dated 02.08.2024.

In view of the above, Executive Engineer, DPA submitted status vide letter no. LW/PL/3594/460 dated 28.05.2024 and LW/PL/3594/626 dated 23.09.2024. As per the MoM of DLCRZ meeting dated 24.09.2024, action taken report in representations received in the said matter shall be submitted through Hon'ble Chairman, DPA only.

Therefore, you are hereby requested to kindly look into the matter and submit the compliance report w.r.t Hon'ble NGT, CAG audit report to the committee.

Thanking You.


Amit I.A.S

**District Collector and District Magistrate-Kutch
&
Chairman of District Level CRZ Committee.**

Enclosure: As above.



પરિક્ષેત્ર વન અધિકારીશ્રી ની કચેરી
ભયાઉ નોર્મલ રેન્જ
કસ્ટમ ચેક પોસ્ટની સામે અંધશાળાની બાજુમાં
ભયાઉ-કચ્છ



ટેલીફોન નંબર - ૦૨૮૩૭-૨૨૪૦૪૪

ક્રમાંક :- અ/આક્ષેપ/ફ.નં.૫૬ / ૭૭૫-૬૦

Gmail : rfobhachanormal@gmail.com

/સને.૨૦૨૪-૨૫ ભયાઉ-કચ્છ તા.૦૩/૧૨/૨૦૨૪

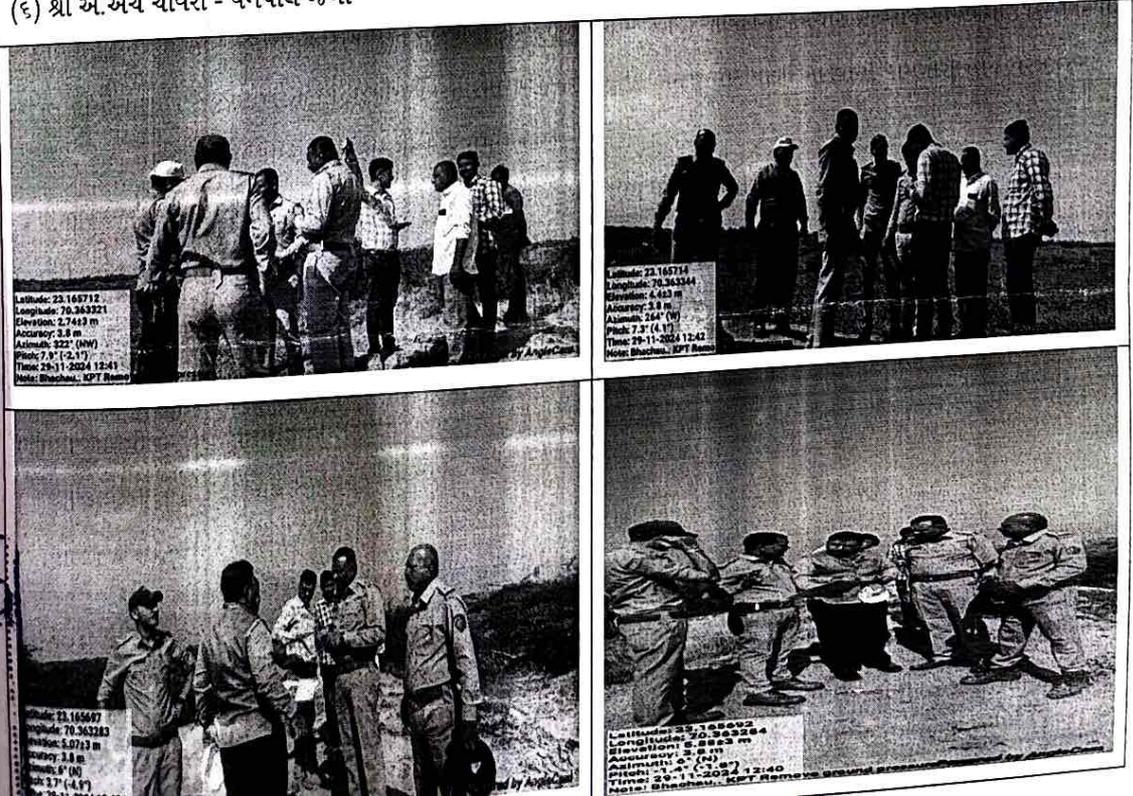
પ્રતિ,
નાયબ વન સંરક્ષકશ્રી,
કચ્છ પૂર્વ વન વિભાગ,
ભુજ-કચ્છ.

વિષય:- દરિયાઈ ક્ષિક વિસ્તારમાં મેન્ગુવ / ચેરના નિકંદન અને ગેરકાયદેસર માટીપાળા બાબત

સાદર ઉપર્યુક્ત વિષય અન્વયે નિવેદન કે, તા.૨૭/૧૧/૨૦૨૪ ના રોજ DPT ખાતે ગુજરાત પ્રદુષણ નિયંત્રણ બોર્ડના રીજીયોનલ ઓફિસરશ્રીના અધ્યક્ષ સ્થાને યોજાયેલ સંયુક્ત મીટીંગમાં અમો પ.વ.અ.ભયાઉનાઓ ઉપસ્થિત રહેલ.મીટીંગમાં થયેલ ચર્ચા અંતે લેવાયેલ નિર્ણય મુજબ દીનદયાળ પોર્ટ ટ્રસ્ટ હસ્તકની દરિયાઈ ક્ષિક વિસ્તારની જમીનમાં મેન્ગુવ / ચેરના નિકંદન અને ગેરકાયદેસર માટીપાળા સમારકામ બાબતે તા.૨૮/૧૧/૨૦૨૪ થી કામગીરી હાથ ધરવાનું નક્કી થયેલ.જેમાં વનવિભાગ, DPT અને GPCB ના સંયુક્ત સ્ટાફ દ્વારા કામગીરી કરવા અને આ કામે જરૂરી યાંત્રિક મશીનરી / વાહનની વ્યવસ્થા જરૂરિયાત મુજબ DPT એ કરવાની રહેશે.તે મુજબ સુચના થતા, અત્રેના સ્ટાફ દ્વારા આ કામે ઉક્ત મુજબની ટીમ સાથે નીચે મુજબના અધિકારી/ કર્મચારીઓ સાથે રહી ભયાઉ ક્ષિક વિસ્તારમાં આવેલ દીનદયાળ પોર્ટ ટ્રસ્ટ હસ્તકની જમીન વિસ્તારમાં ગેરકાયદેસર રીતે બનેલ માટીપાળા તોડવાની કામગીરી હાથ ધરેલ.જેમાં નીચે જણાવેલ ફોટોગ્રાફ મુજબના લોકેશન પર કામગીરી કરવામાં આવેલ.

➤ તા.૨૮/૧૧/૨૦૨૪ ના રોજ ઉપસ્થિત કર્મચારી / અધિકારી અને હાથ ધરેલ કામગીરી

- (૧) શ્રી હર્ષેલ પટેલ - મદદનીશ પર્યાવરણ ઈજનેર GPCB પૂર્વ કચ્છ ગાંધીધામ
- (૨) શ્રી મનોજ ટી.ગોહેલ - કાર્યપાલક ઈજનેર (સિવિલ) DPT ગાંધીધામ
- (૩) શ્રી એ.વી.ભાટિયા - વનપાલ ભયાઉ
- (૪) શ્રી આર.વી.મેરીયા - વનપાલ ભયાઉ
- (૫) શ્રી એમ.વી.કોલી - વનપાલ શિકારપુર
- (૬) શ્રી એ.એચ ચૌધરી - વનપાલ જંગી

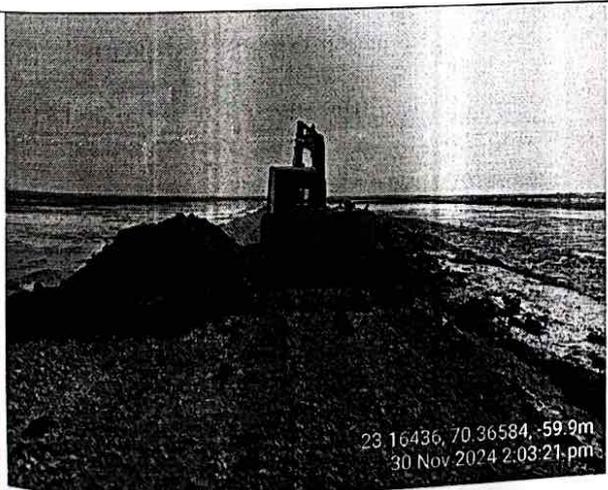


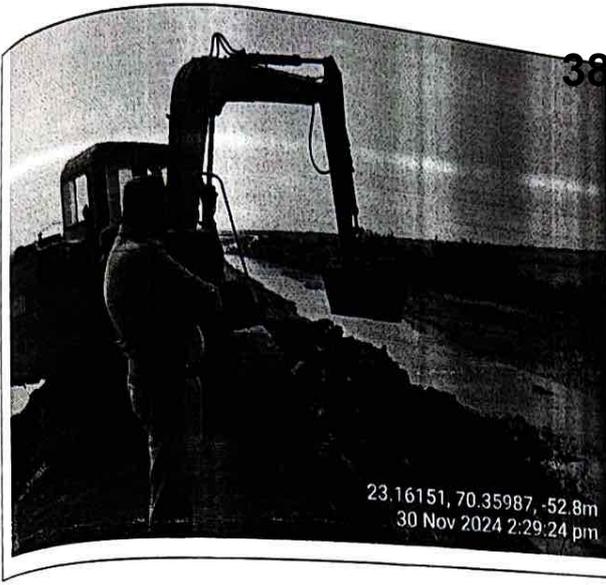
Latitude: 23.1657
Longitude: 70.363276
Elevation: 1.9614 m
Accuracy: 3.9 m
Azimuth: 15° (N)
Pitch: 1.6° (-1.4°)
Time: 29-11-2024 12:40
Note: Bhachau, KPT Remo...

Latitude: 23.1657
Longitude: 70.363276
Elevation: 1.9614 m
Accuracy: 3.9 m
Azimuth: 15° (N)
Pitch: 1.6° (-1.4°)
Time: 29-11-2024 12:40
Note: Bhachau, KPT Remo...

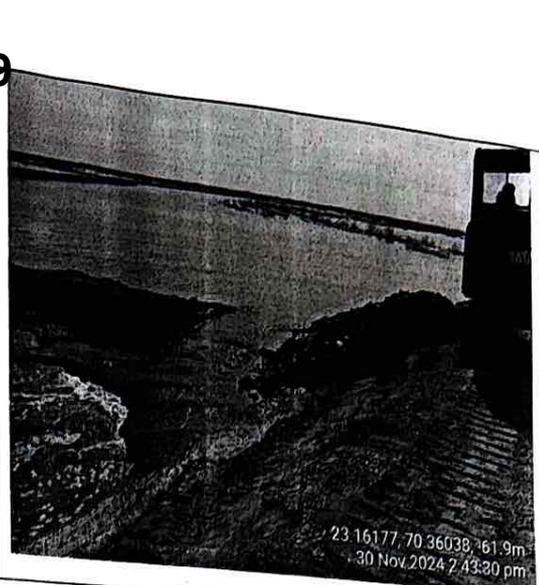
Latitude: 23.162621
Longitude: 70.361780
Elevation: -0.6125 m
Accuracy: 4.3 m
Azimuth: 242° (SW)
Pitch: -12.3°
Time: 29-11-2024 13:37
Note: Bhachau, KPT Remo...

- તા.૩૦/૧૧/૨૦૨૪ ના રોજ ઉપસ્થિત કર્મચારી / અધિકારી અને હાથ ધરેલ કામગીરી
- (૧) શ્રી હર્ષલ પટેલ - મદદનીશ પર્યાવરણ ઈજનેર GPCB પૂર્વ કચ્છ ગાંધીધામ
 - (૨) શ્રી મનોજ ટી.ગોહેલ - કાર્યપાલક ઈજનેર (સિવિલ) DPT ગાંધીધામ
 - (૩) શ્રી એસ.બી.જેઠા - ઈન્ચાર્જ પ.વ.અ.ભચાઉ
 - (૪) શ્રી એ.વી.ભાટિયા - વનપાલ ભચાઉ





23.16151, 70.35987, -52.8m
30 Nov 2024 2:29:24 pm



23.16177, 70.36038, -61.9m
30 Nov 2024 7:43:30 pm

આમ, ભચાઉ દરિયાઈ કિક વિસ્તાર કે જે દીનદયાળ પોર્ટ ઓથોરીટીની માલિકીની જમીન વિસ્તાર પઅસામાબ્દિત તત્વો દ્વારા ગેરકાયદેસર માટીપાળા બનેલ હોવાનું સ્થળ પર જણાયેલ છે. આ બનેલ માટીપાળાના કારણે મેન્ગુવ વાળા વિસ્તારમાં દરિયાઈ પાણી અવરોધાયેલ હોઈ, જેના કારણે મેન્ગુવ વિસ્તાર પર વિપરીત અસર થઈ રહેલ જણાય છે. ઉક્ત જણાવેલ બે દિવસ કરેલ કામના ફોટોગ્રાફમાં જણાઈ રહેલ હકીકત અને સ્થળ આજુબાજુ વાળા વિસ્તારમાં ફેરણું કરતા આશરે ૧ કી.મી. થી વધુ મેન્ગુવ વાળા વિસ્તારમાં દરિયાઈ પાણી અવરોધના માટીપાળા બની જવાથી મેન્ગુવ વાળો વિસ્તાર સુકાઈ રહેલ જણાઈ આવે છે. જેથી આ કામે વધુ પ્રમાણમાં મશીનરી અને સ્ટાફ દ્વારા ડ્રાઈવ રાખવામાં આવે તો સદર વિસ્તારમાં મેન્ગુવ બચાવી શકાય તેમ છે.

આ વિસ્તારમાં બનેલ માટીપાળાનું આંકલન કરવા વધુ સમય અને વધુ યાંત્રિક મશીનરી સાથે આ વિસ્તારની માલિકીના અધિકારી / કર્મચારીઓ સાથે રહી સંયુક્ત કોમ્બીંગ હાથ ધરી કામગીરી કરવામાં આવે ત્યારે શક્ય બને તેમ હોવાનું અમારું માનવું છે. જે આપ સાહેબશ્રીને જાણ થતા પ્રસ્તુત બાબતે યોગ્ય કાર્યવાહી થવા સારું વિનંતી છે.

(એસ.બી.જેઠા)
(I/C) પરિક્ષેત્ર વન અધિકારી
ભચાઉ ક્ષેત્રિય રેન્જ

સાદર નકલ રવાના:-

- (૧) ચીફ એન્જીનીયરશ્રી, લેન્ડ સેક્શન, DPT ગાંધીધામ-કચ્છ તરફ જાણ તેમજ જરૂરી કાર્યવાહી થવા સારું વિનંતી.
- (૨) પ્રાંત અધિકારીશ્રી, ભચાઉ-કચ્છ તરફ જાણ થવા સારું વિનંતી છે.
- (૩) પ્રાદેશિક અધિકારીશ્રી, GPCB કચ્છ પૂર્વ ગાંધીધામ તરફ જાણ થવા સારું વિનંતી છે.
- (૪) પ્રાદેશિક અધિકારીશ્રી, GPCB કચ્છ પશ્ચિમ ભુજ તરફ જાણ થવા સારું વિનંતી છે.
- (૫) મામલતદારશ્રી, ભચાઉ-કચ્છ તરફ જાણ થવા સારું વિનંતી છે.

NO. GPCB/RO-KUTCH-WEST/CRZ/T-19 (I)/ 14/

To,
The Chief Engineer,
Deendayal Port Trust,
Engineering Department, Administrative
Office Building, Post Box No. 50,
Gandhidham- 370201, Kutch.

BY R.P.A.D

Date: 6 FEB 2025

The Deputy Chief Conservator of Forests,
Kutch-East Division,
Circle B/H. DIC Office, Near Moms school,
Bhuj-Kutch

The Regional Officer,
Gujarat Pollution Control Board,
Regional Office, Kutch (East)
Room No. 215-217, Administrative Office
Bldg, Kandla Port Trust, Sector 8, Ta:
Gandhidham - 370201

Subject: Decision of DLCRZ Committee in submission of action taken report in view of complaint received from 1) Kutch Camel Breeders Association regarding destruction of mangroves, creeks and violation of NGT order in Village: Vondh & Bhachau, Ta: Bhachau by Deendayal Port Authority (DPA) 2) Point no. 3.4 of violation cases mentioned in Report No-3 by CAG 3) Insaf Sangathan Kutch dated 12.02.2024 regarding non-removal of encroachment of land by DPT in the area from Kandla to Chirai 4) Mr. Neel Vijhoda regarding destruction of mangroves from Surajbari to Chirai 5) Sandesh newspaper cutting dated 20.07.2024 regarding destruction of mangroves in Hadkiya creek, Kalo Dholo and Shawala area

Reference: 1) Letter issued vide no. GPCB/RO/Kutch-West/CRZ/T-19 (I)/14/687 dated 04.10.2024.

Respected Sir,

As per Forest and Environment Department G.R.No.ENV-10-2011-800-E dated 14th October, 2013; District Level CRZ Committee (DLCRZ) has been formed for District Kutch vide no. GPCB/CRZ/310/2015 dated 01.05.2015. DLCRZ Committee meetings are conducted regularly in matter of representations/complaint received for violation of CRZ notification.

In this regard, the meeting of DLCRZ committee was held on 29.01.2025 under the chairmanship of District Collector and District Magistrate, Kutch. As per meeting discussion all violations are in DPA land, DPA is primarily responsible for protection of mangroves and compliance of NGT order O.A.NO:-111/2018 and E.A.NO:- 12/2020. Executive engineer Mr. Manoj Gohil present in meeting strictly instructed to take action to prevent violation of CRZ

Notification and comply with Hon'ble NGT orders and CAG audit report. GPCB, Forest and DPA shall jointly carry out activity to remove encroachment and prevent further distraction as decided in previous meeting. Earlier this office many times written a letter to yourselves but no effective action has been taken.

Once again requested to you please remove all encroachment in CRZ area and submit compliance within 15 days to the DLCRZ Committee.

**For and On Behalf of
Gujarat Pollution Control Board,**


**Regional Officer & Member
Secretary, DLCRZ**

Encl: 1) Minute of Meeting dated 29.01.2025

Copy to:

1. The District Collector and District Magistrate, Kutchfor information please.
2. The Director (Environment) & Director (GCZMA), Forest & Environment Department, Block No - 14/8th Floor, Sachivalaya, Gandhinagar, Gujarat.for information please.
3. Superintendent of Police, Kutch(E) 3493+89P, DC 5, Adipur, Gandhidham, Gujarat 370203: **we request to you extended your kind support for above matter in prevention of mangroves and encroachment removal in DPA area**



GUJARAT POLLUTION CONTROL BOARD

Regional Office : Kutch - East

Room No. 215-216-217, Deendayal Port Trust Administrative Building, Sector 8, Gandhidham - 370205, Kutch-Gujarat
Ph. No. 02836 230828. E-mail : ro-gpcb kutch@gujarat.gov.in • wgn site : gpcbgn.gujarat.gov.in

Annexure-14

BY R.P.A.D
Reminder Letter

NO. GPCB/RO-KUTCH-EAST/DLCRZ/3753

Date: 17-02-2025

To,
The Chief Engineer,
Deendayal Port Trust,
Engineering Department, Administrative
Office Building, Post Box No. 50,
Gandhidham- 370201, Kutch.

Subject: Decision of DLCRZ Committee in submission of action taken report in view of complaint received from 1) Kutch Camel Breeders Association regarding destruction of mangroves, creeks and violation of NGT order in Village: Vondh & Bhachau, Ta: Bhachau by Deendayal Port Authority (DPA) 2) Point no. 3.4 of violation cases mentioned in Report No-3 by CAG 3) Insaf Sangathan Kutch dated 12.02.2024 regarding non-removal of encroachment of land by DPT in the area from Kandla to Chirai 4) Mr. Neel Vijhoda regarding destruction of mangroves from Surajbari to Chirai 5) Sandesh newspaper cutting dated 20.07.2024 regarding destruction of mangroves in Hadkiya creek, Kalo Dholo and Shawala area

Reference: 1) MoM of DLCRZ meeting dated 29.01.2025.

2) Letter issued vide no. GPCB/RO/Kutch-West/CRZ/T-19 (I)/14/87 dated 06.02.2025.

Respected Sir,

Meeting of DLCRZ committee was held on 29.01.2025 under the chairmanship of District Collector and District Magistrate, Kutch. In context to mentioned reference and as per meeting discussion all violations are in DPA land, DPA is primarily responsible for protection of mangroves and compliance of NGT order O.A.No. 111/2018 and E.A.NO:- 12/2020. Executive engineer Mr. Manoj Gohil present in meeting strictly was instructed to take action to prevent violation of CRZ Notification and comply with Hon'ble NGT orders and CAG audit report. It is also further discussed that GPCB, Forest and DPA shall jointly carry out activity to remove encroachment and prevent further destruction as decided in previous meeting.

मुख्य अभियंता का कार्यालय
दीनदयाल पत्तन प्राधिकरण
आवक संख्या: 2025
दिनांक: 17/02/25

o/c

In view of the above, you are hereby requested to remove all encroachment in CRZ area in co-ordination with Forest Department & this office and submit compliance within 15 days to the DLCRZ Committee.

For and On Behalf of
Gujarat Pollution Control Board,


Regional Officer

Encl: 1) Minutes of Meeting dated 29.01.2025.

Copy to:

1. The District Collector and District Magistrate, Kutchfor information please.
2. The Director (Environment) & Director (GCZMA), Forest & Environment Department, Block No - 14/8th Floor, Sachivalaya, Gandhinagar, Gujaratfor information please.
3. Superintendent of Police, Kutch(E), DC 5, Adipur, Gandhidham, Gujarat 370203: we request to you extended your kind support for above matter in prevention of mangroves and encroachment removal in DPA area
4. The Deputy Chief Conservator of Forests, Kutch-East Division, Circle B/H. DIC Office, Near Moms school, Bhuj-Kutch.....to provide necessary support for the said encroachment removal activity.
5. The Member Secretary, DLCRZ Committee, Katira Complex -1, Mangalam Char Rasta, Sanskar Nagar, Bhuj.....for information please.



GUJARAT POLLUTION CONTROL BOARD

Regional Office : Kutch - West

Katira Complex-1, Manglam Char Rasta, Sanskar Nagar, BHUJ-KUTCH : 370 001.
Ph. No. 02832-250620. E-mail : ro-gpcb-kutw@gujarat.gov.in • xgn site : gpcbngn.gujarat.gov.in

NOTICE

WHEREAS the Ministry of Environment Forests and Climate Change, Government of India has issued Coastal Regulation zone (CRZ) Notification, 2011 under the provisions of the Environment (Protection) Act, 1986.

AND WHEREAS the provisions of the CRZ Notification, 2011 are also applicable in the State of Gujarat.

AND WHEREAS as per the CRZ Notification 2011 issued by the Ministry of Environment and Forests Government of India, area between 500 Mtrs from the HTL and area between HTL and HTL and water area up to 12 nautical miles from the LTL are classified as CRZ area.

AND WHEREAS the areas within the CRZ are classified as CRZ-1(A), CRZ I (B), CRZ-II, CRZ-III and CRZ –IV and various industrial and development activities are regulated within the CRZ area and prior permission of the competent Authority is a must for commencing any activity within the CRZ areas.

AND WHEREAS as per the CRZ Notification 2011 existing mangroves are required to be protected and it should not allow to be damaged destructed it is classified as ecologically Sensitive area.

AND WHEREAS District Level CRZ Committee has received representations from Kutch Camel Breeders Association regarding large scale destruction of Mangrove in Bhachau, Vondh and Jangi area time to time.

AND WHEREAS Kutch Camel Breeders Association has filed Original Application no: 111/2018, Interlocutory application no: 20/2019 and Execution Application no: 20/2020 at the Principal Bench, National Green Tribunal time to time.

AND WHEREAS you have been issued Advisory notice on date: 02/03/2018 from the DLCRZ committee and Directions under Section-5 of the Environment (Protection) Act, 1986 on date: 20/04/2018, 12/06/2019 and 05/11/2020 respectively for restoring the damage caused to environment and remove encroachment.

AND Whereas the report of Forest Department dated: 13/03/2023 states that: (1) In Moti Chirai - Ghulamshah Peer Sea Creek area soil bunds have been created by illegal miscreants in North-West direction which have been made in last 15-20 days. (2) Small mangroves have been found alive but due to non-availability of sea tidal water; land is found getting dried. (3) Mangroves in @ 150-200 hectares land have been affected due to obstruction of sea water.

AND WHEREAS large scale mangrove destruction in Jangi, Vondh areas of Bhachau is also mentioned in Point no: 3.4 of the Report no: 3 on Performance Audit on Conservation and Management of Coastal Ecosystems in the year 2022 issued by Comptroller and Auditor General of India (CAG) which was discussed in DLCRZ Committee meeting dated: 24/05/2023.

AND WHEREAS, Sub-Divisional Magistrate-Bhachau and GPCB Regional Office, Kutch-East has carried out joint visit on date: 05/07/2023 and it states that: (1) Salt pans were constructed for manufacturing of

raw salt behind Gulamsinh Pir with co-ordinates 23 09 47.8 N 70 21 46.9 E by destructing mangroves and dead mangroves were observed at the site. Bunds were constructed to obstruct the flow. Imprints of JCB/Machineries for destruction of mangroves can be observed on site. (2) Bunds were observed constructed to obstruct the free flow of creek water at 23 09 31 N and 70 22 19 E and the said area falls under CRZ 1-A area as per the CRZ Notification-2011 prepared by Gujarat Coastal Zone Management Authority.

AND WHEREAS for above violations Chairman, District Level CRZ Committee had issued letter to you on date: 11/10/2023, 02/08/2024 and 15/10/2024 to carry out action with reference to the violation, remove all illegal encroachment and submit action taken report. However, several communications have been made to you but no concrete actions have been taken by your side to prevent violation of CRZ Notification and compliance with Hon'ble National Green Tribunal orders and CAG audit report.

AND WEHERAS Execution Application no: 43/2024 in Original Application no: 111/2018 filled before the National Green Tribunal, Principal Bench, New Delhi.

In view of above, it is necessary to:

1. Remove all encroachment of illegal salt pans in DPA area.
2. Carry out mangrove restoration activity in DPA area where destruction of mangroves has been taken place due to salt pans encroachment.
3. Submit time bound action plan for above mention activity to comply with Hon'ble NGT order in matter no.111/2018 and E.A. 12/2020



(Naresh P. Chaudhari)
Member Secretary, District Level CRZ
Committee and Regional Officer,
Kutch-West.

24 FEB 2025

No. GPCB/RO/KUTCH(W)/CRZ/T-19/ID-14/130.

To,
The Deendayal Port Trust,
P. O, Box No 50, Admin. Office Building,
Gandhidham (Kutch) -370201

Copy to:

1. The Director (Environment) & Director (GCZMA),
Forest & Environment Department,
Block No: -14, 8th Floor,
Sachivalaya, Gandhinagar-382010.....For your information and necessary action please.
2. District Collector and District Magistrate,
Kutch Chairman of DLCRZ CommitteeFor your information and necessary
action please.