

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
EXECUTION APPLICATION NO. 43 OF 2024
IN
ORIGINAL APPLICATION NO. 111 OF 2018
IN THE MATTER OF:**

Kachchh Camel Breeders Association ...Applicant

-Versus-

Ministry of Environment, Forest and Climate Change & Ors. ...Respondents

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NDoH: 20.01.2026

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Date: 19.01.2026

Place: New Delhi

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SETTLED BY:
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[Senior Advocate]

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PRINCIPAL BENCH, NEW DELHI
EXECUTION APPLICATION NO. 43 OF 2024
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**COMPLIANCE CHART ON BEHALF OF THE APPLICANT,
KACHCHH CAMEL BREEDERS ASSOCIATION ON THE
COMPLIANCE OF THE JUDGMENT DATED 11.09.2019 AND FINAL
ORDER DATED 16.09.2020**

MOST RESPECTFULLY SHOWETH:

1. That the present Execution Application has been filed for implementation of the Final Order and Judgment dated 11.09.2019 in O.A. No. 111/2018 and Order dated 16.09.2020 in E.A. No. 12/2020. Specifically, this is in view of the continuing and aggravated destruction of mangrove vegetation in CRZ-IA coastal area due to salt manufacturing activities that have led to an adverse impact on the environment and ecology of the pristine mangrove eco-system of Kutch, which is home to the Kharai Camels and a plethora of other species that are unique to the Gulf of Kachchh and which include hundreds of camel breeders whose generational livelihood is directly dependent on the survival of the indigenous swimming Kharai camels.
2. That on 11.12.2024, this Hon'ble Tribunal issued Notice while observing that compliance was sought of Para 22 of the Final Order dated 11.09.2019 in O.A. No. 111/2018 (Page 59-61 of the instant E.A.) and Para 8 of Order dated 16.09.2020 in the first E.A. No. 12 of 2020 (Page 73 of the instant E.A.) as

well as observations made by the Deputy Collector and Sub-District Magistrate of Bhachau Taluka in his Inspection Report dated 27.07.2023 (Page 172-175 of the instant E.A.). Further, this Hon'ble Tribunal also took note of the Performance Audit Report on Conservation of Coastal Ecosystems (Page 86-87 of the instant E.A.) which had found that the total mangrove area in Gujarat had reduced to 127.024 ha in 2020 from 159.26 ha owing to the creation of bunds for salt manufacturing activities.

3. That since the issuance of Notice on 11.12.2024, the Respondent Authorities have attempted to demonstrate compliance through the:
 - i. Reply dated 28.02.2025 by the Respondent No. 6, Deendayal Port Trust (Pg. 186-339);
 - ii. Reply Affidavit dated 03.03.2025 by Respondent No. 7, GPCB (340-395);
 - iii. Additional Affidavit dated 15.09.2025 by the Respondent No. 6, Deendayal Port Trust (Pg. 423-433);
 - iv. Additional Affidavit dated 16.09.2025 by the Respondent No. 3, GCZMA (Pg. 434-523);
 - v. Additional Affidavit dated 17.09.2025 by the Respondent No. 2 and Respondent No. 4, Gujarat Forest Department (Pg. 524-962); and
 - vi. Additional Affidavit dated 17.01.2026 by the Respondent No. 2 and Respondent No. 4, Gujarat Forest Department.
4. That on the last date of hearing i.e. this Hon'ble Tribunal observed the submission of the Applicant in that the concerned authorities have not been taking any action in terms of the directions of this Hon'ble Tribunal in its Final Order dated 11.09.2019 in O.A. No. 111/2018 and Order dated 16.09.2020 in the first E.A. No. 12 of 2020. Further, the admission of Respondent No. 6, Deendayal Port Trust regarding it having control over the area within Village

Jangi in Bhachau Taluka was also recorded. Moreover, in view of a lack of a detailed Reply by the Respondent No. 7, GPCB, this Hon'ble Tribunal directed for the Member Secretary of the GPCB to virtually appear on the next date to disclose the state of compliance of the directions issued by this Hon'ble Tribunal.

5. That in view of the above, a Compliance Chart has been prepared to provide a bird's eye view of the extent of compliance, or rather non-compliance, by the implementing Respondent authorities of this Hon'ble Tribunal's directions in its Final Order dated 11.09.2019 in O.A. No. 111/2018 and Order dated 16.09.2020 in the first E.A. No. 12 of 2020. The Compliance Chart has been appended herewith as **ANNEXURE A/1**.
6. That the Applicant herein humbly submits that the Respondent authorities, having entirely failed in their mandate to implement the directions of this Hon'ble Tribunal, time and again. It is prayed that this Hon'ble Tribunal pass strict orders and impose heavy environmental compensation in addition to the penalties prescribed under Section 26 of the National Green Tribunal Act, 2010 on the concerned authorities for continuous and wilful failure to ensure that the ecologically sensitive mangrove areas of Kachchh are safeguarded and the sole habitat of the unique swimming Kharai camels of Kachchh is not lost forever.

Date: 19.01.2026
Place: New Delhi

DRAWN AND FILED BY:


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SETTLED BY:
Sanjay Upadhyay
[Senior Advocate]

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 PRINCIPAL BENCH, NEW DELHI
 EXECUTION APPLICATION NO. 43 OF 2024
 IN
 ORIGINAL APPLICATION NO. 111 OF 2018**



IN THE MATTER OF:

Kachehh Camel Breeders Association

...Applicant

Versus

Union of India & Ors.

...Respondents

AFFIDAVIT

I, Ashabhai Rabari, S/o Ramabhai Rabari, aged about 52 years, President of the Applicant Association which has its Office at Orient Colony, Near Idgah, Opposite V.D. High School, Bhuj – Kutch – 370001 do hereby solemnly affirm and state as under:

1. That I am fully conversant of the facts and circumstances of the matter and am competent to swear this Affidavit.
2. That the contents of the accompanying Affidavit along with accompanying Annexures have been drafted by my Counsel under my instructions and the contents are true and correct to the best of my knowledge and nothing material has been concealed therefrom.
3. That the Annexures in the accompanying Affidavit are true and correct to the best of my knowledge.

[Signature]
DEPONENT

VERIFICATION:

I, the above-named deponent do hereby verify that all the fact mentioned in the affidavit are true to my knowledge and no part thereof is false and nothing material has been concealed therefrom.

Verified at... 19... on this 19th day of January, 2026.



SERIAL NO.: 37
 01
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 DATE: 19/01/2026

**SOLEMNLY AFFIRMED
 BY FOR ME**

[Signature]

**V. J. ...
 Advocate "Notary"
 At. Mundra Dist. Kutch
 Gujarat State
 Govt. of Gujarat**

DEPONENT

**CHART ON COMPLIANCE OF JUDGMENT DATED 11.09.2019 IN O.A. NO. 111/2018 AND
FINAL ORDER DATED 16.09.2020 IN E.A. NO. 12/2020**

TABLE A – Judgment dated 11.09.2019 in O.A. No. 111 of 2018

| S. No. | Directions issued by this Hon'ble Tribunal (Para 22 of the Judgment) | Executing Authority | Status of Compliance |
|--------|--|--|--|
| 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. | GCZMA, Deendayal Port Authority ("DPA"), Forest Department | Not complied – DPA submits that it possesses vast lands stretching to 344.4 sq. miles for which it does not have adequate patrolling staff, but instances of encroachment are reported to relevant authorities [Refer Para 31 to 35, Pg. 200 - 203 a/w Annexure R-3, Pg. 253 in Reply by R6 dt. 28.02.2025]. |

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| 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 the creeks and take action in accordance with law including recovery of environmental damage and cost of restoration of mangroves damaged. | Forest Department, Government of Gujarat, GCZMA and Revenue Officials | Not complied - Joint Inspection was done on 10.12.2019 and 11.12.2019 at Bhachau and Jangi areas but responsible persons were not found and details are unavailable as per the DPA. There is also no exact information on the total area that has been restored (Item II, Pg. 527 of Reply of R2 & R4 dt. 17.09.2025). Although, it is submitted by the DPA that demand notices have been served upon them, however there is not a whisper on penal compensation by way of recovery of environmental damage. Further, the timelines prescribed by this Hon'ble Tribunal have been totally violated. |
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| | This may be done within a period of one (1) month from today | | |
| iii. | If there has been any activity which is in violation of CRZ Notification, 2011, the GCZMA will immediately take action in accordance with law. | GCZMA | <p>Not complied – The GCZMA in their affidavit has largely replied on the works and Minutes of Meetings of DLCRZ. At large, they have shifted responsibility to the DLCRZ to follow, discuss and implement the directions given by the NGT [Annexure R-1, Pg. 444 – 449 of Reply filed by R3, GCZMA].</p> <p>In fact, a list of salt manufacturers operating in the lands of DPA has been provided at Annexure R36, Pg. 337-338 of the Reply dated 28.02.2025 by DPA which includes 49 salt manufacturing companies operating in 13384.00 acres. There is yet no clarity from the submissions of the DPA or the GCZMA on whether these companies have been operating in compliance of the CRZ Notification 2011 and 2019 or not. It is clear that such operations cannot be running in a mangrove rich area which is classified as CRZ-IA; however, no such action has been taken to close down such illegal units. It appears from the records that Respondent No. 6</p> |

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| | | | and 7 who were parties before this Tribunal have been closed down. However, the same needs to be verified. Further, the list of 49 salt manufacturing units mentioned in Annexure R36, Pg. 337-338 of the Reply dated 28.02.2025 by DPA and which are operating in 13384.00 acres of land continue to operate illegally in mangrove rich areas. The status of their operation/closure has not been mentioned. |
| 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 | Forest Department, Government of Gujarat | <p>Partially complied - R2(State of Gujarat) and R4(Gujarat Forest Department) shifted responsibility to R6 (DPA) since disputed area is not Reserved Forest or Protected Forest (Item IV, Pg. 528-529 of Reply of R2 & R4 dt. 17.09.2025).</p> <p>Whereas, the DPA has cancelled two leases for salt manufacturing and deposited money as per the demand notices of the Forest Department. However, in case of any new activity that contravenes the Forest Conservation Act 1980, the DPA claims to merely report such instances to the relevant authorities. It is unclear whether mangrove rich areas which are protected as “protected forest” in many jurisdictions or are considered to be a deemed forest as per the Hon’ble Supreme Court’s Order dated 12.12.1996 in the case of T.N. Godavarman as also the</p> |

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| | immediately take action in accordance with law | | mandate of the Hon'ble Supreme Court to relook at these areas in Order dated 19.02.2024 in the case of Ashok Sharma v. Union of India. There is no statement regarding these developments which ought to have been brought out by the Forest Department. |
| v. | 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. | GCZMA | <p>Partially Complied - DPA had cancelled two leases however they have not been able to stop further salt bunds being created in their area [198-199 of Reply by DPA].</p> <p>The Minutes of the Meeting of the DLCRZ reflect that there is no substantial proof of the actions taken by the DLCRZ in curbing the further destruction of Mangroves [Annexure R-2, Page No. 450 to 501 of Additional Affidavit filed by GCZMA].</p> <p>DLCRZ has shifted responsibility to DPA as they allege all the disputes are in DPA land [Annexure R – 2, Pg. 480 of Additional Affidavit filed by GCZMA]. There is also no mention of the other salt manufacturing units as listed out by the DPA as to whether they continue to operate or not in mangrove rich areas.</p> |

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| 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. | GCZMA, DPA | <p>Not complied - As per the findings of the Joint Committee in its Report dated December 2019, it was concluded that destruction of Mangroves at Nani & Moti Chirai villages was about 31.92 ha + 32 ha in Jangi Village + 85 ha near Khershah Pir mosque – land was under DPA and per Ha cost for mangrove plantation was Rs. 45000 whereas cost of demolition of bund was approx. Rs. 2000/rmt. However, GCZMA merely issued directions to the DPA, Revenue Department and Forest Department to carry out further action (Conclusions and Recommendations of the Joint Committee at Pg. 251-252 read with Directions dated 05.11.2020 at Pg. 256-258 of Reply dated 28.02.2025 by DPA).</p> <p>For Nani Chirai, Moti Chirai and Khershah Pir areas, certain amounts have been deposited by DPA in view of demand notices by the Forest Department [Refer Annexure R5, Pg. 256 of the Reply of R6 dt 28.02.205 a/w Annexure 5, Pg. 552 r/w Annexure 6, Pg. 555 r/w Annexure 7, Pg. 558 of the Reply by R2&R4 dt. 17.09.2025]. With respect to Jangi Village, the DPA had deposited Rs. 96.74 Lakhs vide letter dt. 15.09.2025 by the Forest Department</p> |
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| | | | <p>(Refer Para 7.1 r/w Annexure R1 of the Additional Affidavit by R2 & R4 dt. 17.01.2026)</p> <p>with the Forest Department stating that the restoration had begun on 27.12.2025. However, there is no visual evidence of the same nor is the treatment plan attached for reference (Refer Para 7.5 r/w Annexure R4 of the Additional Affidavit filed by R2 & R4 dt. 17.01.2026).</p> <p>Further, this Hon'ble Tribunal is also required to examine the adequacy of such meagre compensation amounts for such pristine ecological habitats.</p> |
| vii. | <p>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.</p> | <p>Forest Department, Government of Gujarat</p> | <p>Partially Complied - Mere Transfer of Money from R6(DPA) to R2(Forest Department). The plantation/ restoration efforts have taken place till 2023/2024, with part work done in 2021 and continuation in 2022-23. However, survivability of the mangrove plantations as on 31.01.2025 is only 70 to 75% (Item VII of Reply filed by R2 & R3 dt. 17.09.2025 r/w Annexures 5, Pg. 552 r/w Annexure 6, Pg. 555 r/w Annexure 7, Pg. 558 r/w Annexure 8, Pg. 562 r/w Annexure 9, Pg. 564 r/w Annexure 10, Pg. 566 r/w Annexure 11, Pg. 567 r/w Annexure 12, Pg. 569 & Annexure 18, Pg. 742 r/w Annexure 19, Pg. 743 r/w Annexure 20, Pg. 798 of the same). Apart from totally missing the timelines, it appears that only half-hearted</p> |

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| | | | compliance is being made and therefore an independent verification may be ordered by this Hon'ble Tribunal. |
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TABLE B - Final Order dated 16.09.2020 in E.A. No. 12 of 2020

| S. No. | Particulars of the Directions issued by this Hon'ble Tribunal (Para 8 of Final Order) | Executing Authority | Status of Compliance |
|---------------|--|---|---|
| i. | Let further steps be taken for enforcement of the Order of this Tribunal dated 11.09.2019. | Forest Department, Government of Gujarat, GCZMA and Revenue Officials | Partially Complied - With the DPA cancelling two leases and depositing the money as demanded by the Forest Department (Refer to Para 31, 32, 33, 34 & 35, Pg. 200 - 203 in Affidavit filed by R6 dt. 28.02.2025). Further, the Forest Department has begun some restoration of the mangroves on 2021-22 & 2022-23, as on 31.01.2025, the survivability of the Mangroves is 70-75% (Item VII of Reply filed by R2 & R3 dt. 17.09.2025 r/w |

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| | | | <p>Annexures 5, Pg. 552 r/w Annexure 6, Pg. 555 r/w Annexure 7, Pg. 558 r/w Annexure 8, Pg. 562 r/w Annexure 9, Pg. 564 r/w Annexure 10, Pg. 566 r/w Annexure 11, Pg. 567 r/w Annexure 12, Pg. 569 & Annexure 18, Pg. 742 r/w Annexure 19, Pg. 743 r/w Annexure 20, Pg. 798 of the same). However, the Forest Department has not provided any visual proof of the restoration work commenced in the village of Jangi (Refer to Para 7.5 r/w Annexure R4(colly)). Moreover, the GCZMA has shifted their work on the DLCRZ, to take up the responsibilities as per the directions of the NGT [Annexure R-1, Pg. 444 – 449 of Reply filed by R3, GCZMA].</p> <p>That finally, the GPCB is yet to file a comprehensive reply on the actions taken as per the directions in the Judgment dt. 11.09.2019 and final order dt. 16.09.2020.</p> |
| ii. | The amount determined be recovered expeditiously and restoration work be executed which may be | GCZMA & Forest Department, Government of Gujarat | <p>Not Complied - The Director and Member Secretary, GCZMA issued directions under Section 5 of the EPA, 1986 to DPA dated 05.11.2020 (Refer to Pg. 347 r/w Annexure-6, Pg. 371 of the Affidavit by R7 dt. 03.03.2025). Multiple Demand Notices were sent to the DPA by the Forest Department (Refer Annexure R5, Pg. 256 of the Reply of R6 dt 28.02.2025</p> |

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| | <p>overseen by the Joint Committee.</p> | <p>a/w Annexure 5, Pg. 552 r/w Annexure 6, Pg. 555 r/w Annexure 7, Pg. 558 of the Reply by R2&R4 dt. 17.09.2025). That partial restoration work on mangroves was carried out only in 2022-2023 and 2023-2024 without any continuation through the year of 2025 since it has been recorded that multiple encroachments have taken place as per the DLCRZ Minutes of Meetings (Refer Pg. No. 510, 512, 514, 516, 518, 520 & 522 of Affidavit by GCZMA dated 16.09.2025). It is explicitly stated by the Forest Department that as on 31.01.2025, survival of mangroves is only 70 - 75% (Refer Annexure 21 of Affidavit by R2&R4 dt. 17.09.2025). As on 27.12.2025, the DPA had deposited a total of Rs. 96.74 lakhs for the restoration of 96 ha of land in the Jangi Area (Para 6 of the Additional Affidavit by R2&R4 dt. 17.01.2026 r/w Annexure R1 of the same). That vide letter dt. 08.11.2025, a KML (Keyhole Markup Language) file for identifying suitable area for restoration of Mangroves (Para 7.2 r/w Annexure R2 of Affidavit filed by R2&R4 dt. 17.01.2026), with a treatment map for mangrove plantation - <u>that has not been annexed or shown</u> - was approved by the Deputy Conservator of Forest vide letter dt. 26.12.2025 (Para 7.5 r/w Annexure R4 of Affidavit filed</p> |
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| | | | <p>by R2&R4 dt. 17.01.2026). However, no pictures or substantial proof has been placed to reflect the same.</p> |
| <p>iii.</p> | <p>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.</p> | <p>Forest Department and GCZMA</p> | <p>Not Complied – While a Joint Committee was constituted by the Environment Department on 09.10.2020 (Pg. 347 of Affidavit dated 03.03.2025 by GPCB), however, the said Committee had merely delegated its responsibility to the GCZMA which has further delegated the said work of oversight to the DLCRZ vide a circular dated 14.10.2013 (Pg. 444 of Affidavit dated 16.09.2025). This is clearly a non-compliance since it was the Joint Committee which was tasked with monitoring restoration work.</p> <p>Now, as per the latest update provided by the Forest Department vide the letter dated 27.05.2025, from the Deputy Conservator of Forest to the Chief Conservator of Forests, restoration of mangroves was done by the Forest Department (Pg. 881 - 944 of Affidavit dated 17.09.2025). It is submitted that since the Applicants are not allowed to visit the area, a status report may be called for after a thorough inspection wherein the Applicant may be allowed to participate.</p> |

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| iv. | <p>The Joint Committee may ensure compliance of directions, including stopping and remedying violation of CRZ Notification, including salt manufacturing activity and Forest Conservation Act, 1980.</p> | <p>Forest Department and GCZMA</p> | <p>Partially Complied - Since all the Respondent Authorities had shifted the onus of violation onto the DPA (R6) (Refer MoM of DLCRZ dt. 29.01.2025, 23.07.2025 & 29.08.2025 in Reply by GCZMA dt. 16.09.2025 and Refer to Para 4, Pg. 533 of the Affidavit filed by R2&R4 dt. 17.09.2025).</p> <p>The DPA had cancelled only two leases coming under the CRZ-IA area and cancelled the tender letter which was issued on 20.06.2016 for the said leases (Refer Para 26, Pg. 199 of the Affidavit by R6 dt. 28.02.2025).</p> <p>However, other salt works including newer violations have only been reported to the police, without any concrete action taken or any evidence of such action being taken. The DPA has repeatedly stated that the area to monitor is too vast and that it does not have adequate personnel to monitor its own lands (Refer to Para 31, 32, 33, 34 & 35, Pg. 200 - 203 in Affidavit filed by R6 dt. 28.02.2025).</p> <p>As on 17.01.2026, the DPA deposited a sum of Rs. 96.74 lakhs as per the demand notice by the Forest Department for the Jangi Area (Para 6 of the Additional Affidavit by R2&R4 dt.</p> |
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| | | | 17.01.2026 r/w Annexure R1 r/w Para 7.2 r/w Annexure R2 of Affidavit filed by R2&R4 dt. 17.01.2026 r/w Para 7.5 r/w Annexure R4 of Affidavit filed by R2&R4 dt. 17.01.2026). However, there is no proof of the same nor has any report been provided on the present status or the action taken in this regard since the commencement of the restoration work on 27.12.2025 (Refer to Para 8 of the Additional Affidavit by R2&R4 dt. 17.01.2026). |
| v. | The Joint Committee may file a compliance report with the Chief Secretary, Gujarat within three months. | Forest Department and GCZMA | Not Complied - No Submission of Compliance report by the Joint Committee. |



Service in Kachchh Camel Breeders Association Vs. MOEF & CC & Ors. [Execution Application No. 43 of 2024/NGTPB]

1 message

ELDF <eldflegal@gmail.com>

Mon, Jan 19, 2026 at 4:42 PM

To: bhattparth@hotmail.com, parekhco@parekhco.com, maulik@nanavatico.com, MOEF <secy-moef@nic.in>

Cc: Gitanjali Sanyal <gitanjali@eldfindia.com>, Fizza Zaidi <fizza@eldfindia.com>

Dear Sir,

Please find attached copy of the Compliance Chart filed on behalf of the Applicant.

Thanks & Regards

--

Sameer Manher

Clerk

Enviro Legal Defence Firm

29, Presidential Estate LGF,

Nizamuddin East New Delhi – 110013

Ph. No. 011-40573181

**Chart on Compliance of the Judgment.pdf**

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