

**BEFORE THE 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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**REPLY ON BEHALF OF DEENDAYAL PORT AUTHORITY
(RESPONDENT NO. 6)**

1. That the Applicant has filed the present Execution Application in Original Application No. 111/2018 alleging that there is a continuing and aggravated destruction of the mangrove vegetation, in complete violation of this Hon'ble Tribunal's Judgment dated 11.09.2019 passed in O.A. No. 111 of 2018 and a subsequent order dated 16.09.2020 passed in E.A. No. 12 of 2020.

2. The answering Respondent denies each and every averment made by the applicant in the above application filed before this Hon'ble Tribunal. Nothing shall be deemed to have been admitted though the same may have escaped specific denial.

3. At the outset, the answering Respondent-Deen Dayal Port Authority or DPA (formerly known as Deendayal Port Trust or DPT) submits that DPA is a responsible Government Organization. DPA is in full compliance of the orders passed by this Hon'ble tribunal in the area under its jurisdiction and has been making continued efforts to ensure that there is no illegal activity

carried out in areas under its jurisdiction by timely reporting of any such illegal activity to police authorities and also by taking action against such illegalities jointly with the staff of Forest department and GPCB.

4. It is submitted that DPA does not carry any activity of salt production on its own. DPA has not constructed any bunds and not destroyed any mangroves. DPA has not given any permission for salt manufacturing in CRZ-IA area i.e. the mangrove area. Salt manufacturing is a permissible/regulated activity under CRZ notification in certain areas and in order to generate revenue for the exchequer, the DPA has been allotting plots on lease basis for salt production since last more than 50 years. The lease conditions require lessees to take requisite permissions from statutory authorities before undertaking any construction activity.

5. DPA has vast lands including the salt plots under its jurisdiction. It is in possession of land stretching about 344.4 sq. miles. The boundary of water front area on North and western side from village Veera to Jangi is about 110 kms long. Due to acute shortage of supervision and patrolling staff and more particularly dues to inaccessibility by vehicles to some of these areas, it is very difficult for DPA to monitor these lands on day-to-day basis. However, DPA has always taken prompt action whenever any complaint or information is received by DPA with regard to any illegal activity by encroachers/trespassers. These are not allottees of DPA. Such encroachments are happening due to lack of demarcation between DPA lands and lands of State Government. DPA has been time and again requesting State Government to demarcate the lands. All activities in the past of destruction of mangroves, creation of bunds had taken place at the behest of such encroachers/trespassers which have been regularly reported by DPA to police and state authorities.

6. It is submitted that immediately after the order dated 16.09.2020 was passed by this Hon'ble Tribunal in Execution Application No. 12 of 2020, the Board of DPA passed a resolution No. 75 wherein it was resolved as follows:

- (a) To authorize the Chairman, DPT, to approve the Discharge / Terminate the E-tender cum E-Auction / Allotment of the subject 05 plots, as & when DPT receives formal communication from the Statutory authority, indicating that the subject lands come under CRZ-1/A category.
- (b) To authorize the Chairman, DPT to approve the Restoration Amount / Mangrove Plantation Amount, to be paid / carried out, as a part of the Compliance of the Orders of NGT / Office authorized by the NGT.
- (c) To authorize the Chairman, DPT, to approve any appropriate action to be taken on the part of the DPT for the compliance of the orders passed by the Hon'ble NGT / Office authorized by the NGT.

7. The Deendayal Port Authority is in compliance of the directions issued by this Hon'ble Tribunal in its orders dated 11.09.2019 and 16.09.2020 as explained and demonstrated hereinafter.

I. Direction No. (vi) and (vii) in the judgment dated 11.09.2019

(vi) The quantum of damage caused to mangroves shall be assessed by 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.

8. A Joint inspection was carried out on 10.12.2019 and 11.12.2019 in Naini Chirai, Moti Chirai and Jangi areas of Bhachau taluka in district Kutch by a Committee of members from GCZMA, Forest and Revenue

Department. The Committee rendered a finding that total length of the bunds is 4240 Rmt for Naini Chirai-Moti Chirai area. The Committee concluded as follows:

- *It was concluded that the destruction of the mangrove at Naini & 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 destruction has happened near Moti Chirai & Naini Chirai as well as near Khershah Pir is belonging to 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. 45,000 considering 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.*

9. Some of the relevant recommendations of the Committee were as follows:

- *It is recommended that 3 times of total mangrove destruction as reported above should be carried out by DPT*
- *It is recommended that DPT should immediately remove the bund at Moti Chirai and Naini Chirai to ensure the free flow of water.*

- *GCZMA may direct Revenue Department and DPT jointly take the action for removal of bunds at Jangi site immediately for ensuring free flow of water.*

10. That the above Joint Committee report was approved by GCZMA and on 5.11.2020 the following directions were issued by GCZMA to the Chairman, Deendayal Port Trust under section 5 of the Environment (Protection) Act. 1986

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 through Forests Department and deposit the amount to the Forest Department as per the Committee Report.*
3. *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.*

Compliance in Naini Chirai Moti Chirai and Khershah Pir areas within jurisdiction of Deendayal Port Authority

11. That pursuant to the above, the office of Deputy Conservator of Forests, Kachchh East Forest Division sent a letter to DPA on 12.11.2020 stating that as per Joint Committee report the mangroves have been destructed in approximate 148.96 Ha area of Naini Chirai -Moti Chirai , Jangi and Khershah Pir of Bhachau Taluka. A demand of Rs. 2,01,15,000 was made for mangrove plantation in 447 Ha area i.e over 3 times the area of reported destruction of mangroves. In addition a sum of Rs. 1,60,00,000 was demanded for removal of bunds having approximate length of 8000 Rmt.

12. It is submitted that the DPA deposited a sum of Rs. 2,42,64,200 on 18.11.2020 with the Forest Department for mangrove plantation (3 times) in an area of 350.76 Ha with respect to area under the jurisdiction of DPT (i.e. Naini and Moti Chirai and near Khershah Pir mosque) and for removal of bund in a length of 4240 Rmt. at Naini and Moti Chirai area. So far as Jangi

area is concerned, the DPT sent a letter dated 1.12.2020 to Deputy Conservator of Forests bringing to his notice the conclusion of the Joint Committee in its report of December 2019 that the DPT and Revenue department shall carry out the land demarcation and based on the decision may share the cost.

13. That apart from the above, the Forest officer vide letter dated 13.10.2023 had demanded a sum of Rs. 15,10,000 from DPA for increasing the density of mangroves in Bhachau Taluka which sum was deposited by DPA with the Deputy Conservator of Forest.

14. Thus in view of the above, the DPA has complied with the directions issued by this Hon'ble tribunal towards restoration of mangroves and demolition of bunds under its area of jurisdiction.

15. That so far as the actual work of restoration of mangrove and removal of bunds, the same was required to be carried out by the Forest Department, Government of Gujarat as per the directions issued by this Hon'ble tribunal. It is submitted that DPA has extended full cooperation in the same to the Forest Department.

16. A Rojkam was carried out on 3.12.2020 on which date the Range Forest Officer, Bhachau, Forest department and engineers of land section of DPT visited the area. DPT officials showed the plot area. Accordingly, the officials of forest department identified suitable three locations for mangrove restoration and removal of bund where required to ensure free flow of tidal water. Subsequent thereto the Forest department requested DPA by letter dated 8.12.2020 to make proper arrangements and to maintain law and order with police presence so that work of demolition is carried out at sites identified in Rojkam.

17. That to ensure compliance, DPA officials and officials of forest department held a joint visit on 9.02.2021 in which it was observed that existing earthen bunds surrounding a single area (admeasuring 80 Ha) adjacent to Plot No. 3 (near Khershah Pir creek area) have been flattened and broadened. It was found that activities of mangrove restoration was yet to be attended. Accordingly, the DPA requested the Deputy Conservator of Forest by letter dated 05.05.2021 to direct the competent authority to execute/complete the activities at the earliest to comply with the directions of this Hon'ble Tribunal.

18. That thereafter, on 02.08.2022 the Deputy Conservator of Forest confirmed to DPA that illegal bund destruction work and mangrove restoration work has been carried out by the Range Forest Officer, Bhachau Range in the Naini Chirai, Moti Chirai and Khershah Pir creek area.

19. That DPA keeps a vigil over its vast areas with limited staff at its disposal and reports any illegal activity when notices by its staff. However to ensure that illegal activities are stopped, DPA needs support of state authorities including police.

20. That as latest as on 03.12.2024, the work of demolition of illegal earthen bunds was carried out in Bhachau creek by a joint staff of Forest Department, GPCB and DPA.

Compliance with regard to Jangi area in Bhachau Taluka

21. That so far as Jangi area is concerned, the Joint Committee in its report dated December 2019 noted that there is dispute between DPA and Revenue department regarding ownership of the land. It was observed by the Committee that demarcation of land be done and thereafter cost of restoration work be shared by DPA and Revenue department.

22. Accordingly, DPA sent a letter dated 1.12.2020 to the Deputy Conservator of Forests bringing to his notice the above observation of the Committee and requesting him as follows:

“Therefore for this particular parcel of land/area (Jangi area), after demarcation of land & ownership of land thereof (DPT or Revenue Department), further steps would be taken accordingly for restoration of mangroves & removal of bunds.”

23. The Collector, Bhuj by letter dated 12.01.2021 directed the DLIR, Bhuj to carry out immediate survey and demarcation of disputed land area i.e. Jangi area.

24. That in continuation of its previous letter dated 1.12.2020, the DPA again requested the Deputy Conservator of Forests by letter dated 21.01.2021 to arrange a joint survey so as to confirm in whose jurisdiction the Jangi area falls. Furthermore on 29.09.2022 the DPA wrote to the Deputy Conservator of Forests that the issue of survey and demarcation of boundaries of DPA land and State Government land is still under process and pending before the DILR, Bhuj.

25. It is therefore submitted that with respect to the area under the jurisdiction of DPA, the amount demanded by the Forest department was deposited by DPA for restoration of mangroves as well as for removal of bunds and thus DPA has complied with the directions issued by this Hon'ble tribunal.

II. Direction No. (v) in the judgment dated 11.09.2019

(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.

26. It is submitted that DPA has cancelled the leases coming under CRZ-IA area. The DPA cancelled the tender which was issued on 20.06.2016 under which allotment letters were issued to Respondent Nos. 8 and 9. Further following conditions have been incorporated in the lease deed for CRZ compliance by lessee:

“All required statutory clearances/permissions/approvals (including the environment & CRZ clearance) from different authorities like Gujarat Pollution Control Board, GoG, Gujarat Coastal Zone Management authorities, GoG, the Ministry of Environment and Forest & Climate change, GoI etc. will have to be obtained by the lessee.

In addition to this, the lessee will also obtain all other statutory clearance from various departments under the various acts being in force as applicable from time to time... .. The lessor may facilitate such permission to the extent possible but would not be responsible for obtaining permission. No construction activity shall be carried out by the lessee without any statutory clearances.”

27. It is therefore submitted that the DPA has complied with the direction issued by this Hon'ble Tribunal in the judgment dated 11.09.2019.

III. Direction No. (i) in the judgment dated 11.09.2019

(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.*

28. It is submitted that vast land and plots of salt land in a stretch of 115 kms length is under the jurisdiction of DPA situated from village Veera to Tuna at Kandla and from village Kharirohar/Mithirohar to Chudva/Padana/ Varsana to Moti Chirai to Bhachau to Vondh-Samakhiyali and upto village Ambaliyara-Vandia-Jangi.

29. The salt lands taken back by DPA are being maintained and monitored by the officials and mangrove chawkidars. Some of the internal area/land of DPA is even inaccessible by vehicles and looking to the fact that some of these locations are situated far away in the interior i.e. about 50 to 80 kms

from office, it is difficult to keep a strict vigil on DPA's assets and port property round the clock. Hence encroachments take place.

30. Further due to lack of demarcation between the DPA land and State Government land, there is unauthorised occupation of DPA land at various areas including overlapping, encroachment etc. Allotment of DPA land by state authorities has also been noticed in the past. Due to said encroachments, there have been violation of laws including environment norms by miscreants resulting in loss of revenue to DPA.

31. The DPA has reported to police authorities the instances of encroachment and illegal activities of bund creation by miscreant time and again. Some of the instances when reporting was made are as follows:

- (i) On 30.05.2020, DPA reported to Police Inspector, Police station, Bhachau that some miscreants have entered the vacant DPA land located near Gulabsha Pir/Betiya Peer dargarh and forming earthen bunds for creating salt pans. Inspection report of DPA was enclosed. The Police Inspector was requested to take necessary action against the trespassers.
- (ii) On 18.11.2022, DPA reported to the Superintendent of Police, East Kachchh that during the inspection of DPA lands in Bhachau area on 9.11.2022, 10.11.2022 and 11.11.2022 by the officials of DPA, it was observed that some miscreants had deployed their machinery and equipment on the land located on west side of Betiya peer/Gulamshah peer dargah. It was stated that presently the unauthorised work has been stopped by DPA officials but similar activities and movements have been found near villages Vondh, Ambaliyara and Vandia where salt manufacturing is in progress. It was also reported that the miscreants were trying to damage

mangroves and creating bunds. They have threatened officials of DPA with dire consequences. The police was requested to take necessary action against the trespassers.

- (iii) On 02.03.2023, DPA reported to the District Superintendent of Police, East Kachchh that during the inspection of DPA lands near village Vondh and in Bhachau area on 11.02.2023 and 15.02.2023 by officials of DPA it was observed that some miscreants had deployed machinery and equipment in an attempt to encroach the DPA land. It was stated that presently the unauthorised work has stopped at the site situated near Dargah with great pursuance and risk, however, the activities are restarted every now and then. The police was requested to take necessary action against the trespassers.
- (iv) Thereafter a Sub Committee of District level CRZ committee conducted site inspection on 27.07.2023 and found destruction of mangroves in DPA area as well as bund creation. The collector on the basis of the report issued direction to DPA on 11.10.2023 to cancel all such leases and initiate removal of bunds.
- (v) DPA in response reported the matter to the Superintendent of Police, East Kutch on 26.10.2023 pointing out that it is the miscreants and local hooligans/henchmen as well as lessees of salt lands under revenue department who have encroached upon DPA land and are blocking the roads and approaches and not allowing entry to the officials of DPA. The Police was requested to take action against the trespassers.

32. It is submitted that the above issue was discussed during the meeting with Chief Secretary, Government of Gujarat on 24.08.2023 with DPA officials. It was informed by DPA that till the ownership issue is not finalised, further allotment may be stopped by state government authorities. It was also apprised that removal of illegal encroachment and eviction of unauthorised occupants from DPA land can be done only with support of staff from state government authorities and all necessary support will be provided by DPA.

33. Further the above issue was also discussed with Addl. Chief Secretary (Revenue) on 22.12.2023 at Gandhinagar and it was apprised that Board of DPA had approved block estimate amounting to Rs. 97.89 crores for the work of construction of service road from village Jangi/ Vandhiya to village Veera for demarcation for safe guard of DPT land bifurcating state government land in phased manner. The DPA by its letter dated 2.01.2024 requested the Addl. Chief Secretary to extend the help required for removal of encroachment by constituting a committee of DPA officials and officials of state government authorities so that ownership issue and encroachment issue can be resolved. The same request was reiterated by DPA in its communications dated 5.09.2024 and 5.11.2024.

34. That it was due to the efforts of DPA that in the meeting held on 29.01.2025 of the District level CRZ committee that a decision was taken that Police department to be instructed to provide their support for removal of illegal encroachment. It was further decided that GPCB, Forest and DPA shall jointly carry out activity to remove encroachment and prevent further destruction. It is submitted that the proposal for removing the encroachment as recommended by the CRZ committee at its meeting held on 29.01.2025 was submitted by DPA to the competent authority for financial sanction as for removing the encroachment, huge expenditure is required for hiring Hitachi, machineries, police protection etc. Once, approval is granted by the

competent authority, action will be taken jointly within one month by DPA and State Authorities.

35. It is therefore submitted that the DPA has been taking all the efforts to ensure that there is no obstruction of any kind in the creeks. Lot of support from State authorities is also required in this regard. Further it is of utmost necessity that proper demarcation is made between the DPA land and Revenue land after conducting proper survey.

36. The facts relevant for the purposes of the present reply are as follows:

- (i) On 20.06.2016, DPA issued NIT for “E-Tender-cum-E-Auction for allotment of 06 Nos. of plots of various sizes between village Bhachau and Jungi, for production of Salt, on 30 years lease on ‘as is where is basis”.
- (ii) After completion of E-Tendering Cum E-Auction process and approval of the Board, Pre-Acceptance letters were issued to 06 highest successful bidders on 13-01-2017.
- (iii) Thereafter on 07.02.2017, 18.02.2017, 28.02.2017 & 28.02.2017 and 15.03.2017 allotment letters were issued to all the successful bidders on the 5 nos. of plots except M/s. Gujarat Solar Salt, Gandhidham. The area was allotted subject to actual survey and for the purpose of production of salt. As per the tender condition No. 4.17, the possession of the land will be given only after the execution of the lease deed.
- (iv) That on 06.03.2018, the Applicant-Kachchh Camel Breeder Association, Bhuj, filed Original Application being O.A No. 111 of 2018, before this Hon’ble Tribunal alleging violation of CRZ norms by

way of destruction of mangroves and blockage of natural creeks, due to allotment of subject 5 plots for purpose of salt production.

- (v) That on 11.09.2019, this Hon'ble Tribunal passed judgment in O.A. No.111 of 2018 issuing certain directions.
- (vi) On 10.12.2019 and 11.12.2019, Joint Inspection Team visited the relevant sites in coordination with officials of DPA and in present of applicant.
- (vii) DPA made a representation before the Joint committee on 13.12.2019. A copy of the representation made by DPA on 13.12.2019 is annexed herewith and marked as **Annexure- R-1.**
- (viii) The Joint inspection report on Naini Chirai, Moti Chirai and Jangi areas was submitted by the Committee making certain recommendations. A copy of the Joint Inspection report dated December 2019 is annexed herewith and marked as **Annexure- R-2.**
- (ix) DPA vide letter dated 30.05.2020 filed complaint before Police Inspector, Bhachau informing that some miscreants have entered the vacant DPA land located near Gulabsha Pir/Betiya Peer Dargah and forming earthen bunds. It was requested that matter be investigated and necessary action be taken against trespassers. A copy of the letter dated 30.05.2020 sent by DPA is annexed herewith and marked as **Annexure- R-3.**
- (x) On 27.05.2020, the Applicant-Kachchh Camel Breeders' Association, filed an Execution Application being E.A. No.12 of 2020 in O.A. No.111 of 2018, seeking enforcement of this Hon'ble Tribunal's order dated 11.09.2020.

- (xi) On 6.08.2020, DPA submitted its comments to the report of the Joint Committee. A copy of the comments sent by DPA on 6.08.2020 to Joint Committee report is annexed herewith and marked as **Annexure- R-4**.
- (xii) This Hon'ble tribunal disposed off the execution application on 16.09.2020 inter alia, directing as follows:

“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.”

- (xiii) In the meeting held on 29.10.2020, the board of DPA resolved as follows:
- a. The Chairman, DPT, was authorized to approve the Discharge / Terminate the E-tender cum E-Auction / Allotment of the subject 05 plots, as & when DPT received formal communication from the Statutory authority, indicating that the subject lands come under CRZ-1/A category.
 - b. The Chairman, DPT was also authorised to approve the Restoration Amount / Mangrove Plantation Amount, to be Paid / carried out, as a part of the Compliance of the Orders of NGT / Office authorized by the NGT.
 - c. DPT authorized the Chairman, DPT, to approve any appropriate action to be taken on the part of the DPT for the

compliance of the orders passed by the Hon'ble NGT / Office authorized by the NGT.

(xiv) That on 05.11.2020, the Director (Environment) and Member Secretary, GCZMA, Forest and Environment Department, Govt. of Gujarat issued the following directions under Section-5 of the Environment (Protection) Act, 1986:

(a) To stop all activities immediately in the said area

(b) To restore the free flow water in the creeks/creek lets by removing all the earthen bunds/roads through Forests Department and deposit the amount to the Forest Department as per the Committee Report.

(c) 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 DPT is directed to deposit the amount to Forest Department as per Committee Report.

A copy of the directions dated 05.11.2020 issued under section 5 by the Director (Environment) and Member Secretary, GCZMA is annexed herewith and marked as **Annexure- R-5**.

(xv) On 12.11.2020, the Dy. Conservator of Forests, Kachchh East Forest Division Bhuj requested DPA to deposit total amount of Rs. 3,61,15,000/- for bund removal and mangroves plantation work to comply with this Hon'ble Tribunal's order dated 16.09.2020. A copy of the letter dated 12.11.2020 sent by Dy. Conservator of Forests, Kachchh East Forest Division Bhuj to DPA is annexed herewith and marked as **Annexure- R-6**.

- (xvi) In response to the abovementioned directions issued under Section-5 of the Environment (Protection) Act, 1986, DPA sent a letter dated 16.11.2020 that it has already undertaken action to comply with the orders passed by this Hon'ble Tribunal with respect to the area under the jurisdiction of DPT. A copy of the letter dated 16.11.2020 sent by DPA in response to directions issued under section 5 is annexed herewith and marked as **Annexure- R-7**.
- (xvii) On 17.11.2020, the Chairman, DPA, approved the deposit of Rs. 2,42,64,200/- with the Forest department towards mangrove plantation (3 times) in an area of 350.76 Ha with respect to area under jurisdiction of DPA (Naini & Moti Chirai and near Khershah Pir Mosque) and for removal of bund in length of 4240 running meter in the said area. A approval dated 17.11.2020 accorded by Chairman, DPA is annexed herewith and marked as **Annexure- R-8**.
- (xviii) Accordingly, on 18.11.2020, DPA deposited an amount of Rs. 2,42,64,200/- with Forest Department. A copy of the challan for deposit of Rs. 2,42,64,200/- by DPA is annexed herewith and marked as **Annexure- R-9**.
- (xix) DPA vide letter dated 01.12.2020 informed the Deputy Conservator of Forest that it has deposited the amount w.r.t. area under jurisdiction of DPA. For the parcel of land/area (Jungi area), it was stated that after demarcation of land & ownership of land thereof (DPA or Revenue Department), further steps would be taken accordingly for restoration of mangroves & removal of bund. A copy of the letter dated 01.12.2020 sent by DPA in response to Deputy Conservator of Forest is annexed herewith and marked as **Annexure- R- 10**.

- (xx) On 03.12.2020, the Range Forest Officer, Bhachau, Forest department, Bhachau and engineers of land section of DPA visited the area. DPA officials showed plot area where allotments were done. Accordingly, the officials of forest department identified suitable three locations for mangrove restoration and removal of bund where required to ensure free flow of tidal water. Accordingly, Rojkam was carried out. It was noted that due to tide in Sea the verification could not be done which can only be done during spring tide. A translated copy of the Rojkam dated 03.12.2020 is annexed herewith and marked as **Annexure- R-11.**
- (xxi) On 08.12.2020, the Forest Department informed DPA that demolition work at identified locations as per Rojkam will be carried out and DPA was requested to take full vigilance and make arrangement to maintain law and order with police presence. A translated copy of the letter dated 8.12.2020 sent by the forest department to DPA is annexed herewith and marked as **Annexure- R-12.**
- (xxii) The Deputy Conservator of Forests, on 31.12.2020, sent a letter to DPA stating that total length of the bund to be removed after ground truthing was 13098 Rmt out of which amount has been deposited by DPA for 4240 Rmt of length and thus requested DPA to deposit the balance amount of Rs. 1,77,16,000. A copy of the letter dated 31.12.2020 sent by Deputy Conservator of Forest to DPA is annexed herewith and marked as **Annexure- R-13.**
- (xxiii) That on 12.01.2021, the Collector, Bhuj directed the DILR, Bhuj to comply with the NGT order dated 16.09.2020 and to carry out immediate survey and demarcation of disputed land area between Government of Gujarat and DPA i.e. Jungi area. A translated copy of

the letter dated 12.01.2021 sent by Collector Bhuj to DILR, Bhuj is annexed herewith and marked as **Annexure- R-14.**

(xxiv) In response to the letter dated 31.12.2020, the DPA, on 21.01.2021 wrote to the Deputy Conservator of Forest stating that it would be inappropriate to state that area of which bund is to be removed is under the jurisdiction of DPA. It was requested for joint survey to be arranged on a suitable date so as to confirm in whose jurisdiction the disputed land falls. A copy of the letter dated 21.01.2021 sent by DPA to Deputy Conservator of Forest is annexed herewith and marked as **Annexure- R-15.**

(xxv) DPA sent a letter to DILR on 03.02.2021 and requested him to indicate a date of survey and demarcation of disputed land area. A copy of the letter dated 03.02.2021 sent by DPA to DILR is annexed herewith and marked as **Annexure- R-16.**

(xxvi) That on 09.02.2021, a Joint visit was held by officials of forest department, Bachau and official of land section, DPA in which it was observed that existing earthen bunds surrounding a single area (admeasuring 80 Ha) adjacent to Plot No. 3 (near Khershah Pir creek area) have been flattened and broadened. It was found that activities of mangrove restoration are yet to be attended.

(xxvii) The DPA passed a Board resolution on 23.04.2021 resolving to discharge/terminate the e-tender cum e-auction for allotment of 6 nos. of plots of various sizes between village Bhachau and Jungi for salt production. A copy of the relevant Board resolution dated 23.04.2021 is annexed herewith and marked as **Annexure R-17.**

- (xxviii) DPA vide its letter dated 05.05.2021 requested the Deputy Conservator of Forests to ensure execution of the Rojkam activities and submit a detailed report. A copy of the letter dated 5.05.2021 sent by DPA to Deputy Conservator of Forest is annexed herewith and marked as **Annexure- R-18.**
- (xxix) The Deputy Conservator of Forests vide letter dated 02.08.2022 confirmed mangrove restoration in Naini Chirai, Moti Chirai, and Khershampir Creek and further requested ₹93,20,000 for Jungi area restoration and bund removal. A copy of the letter dated 02.08.2022 sent by Deputy Conservator of Forest is annexed herewith and marked as **Annexure- R-19.**
- (xxx) DPA vide letter dated 29.09.2022 replied to the letter dated 02.08.2022 informing the Deputy Conservator of Forests that the land boundary demarcation was pending with DLIR, Bhuj. A copy of the letter dated 29.09.2022 sent by DPA to Deputy Conservator of Forest is annexed herewith and marked as **Annexure- R-20.**
- (xxxi) DPA vide letter dated 18.11.2022 made complaint before the Supdt. of Police, Gandhidham pointing out miscreants attempting to encroach DPA land at 3 different locations situated on East, South West and North West direction of Betiya Peer/Ghulamshah Peer Dargah. Request was made for removal of encroachment and taking necessary action against the Trespassers. A copy of the complaint dated 18.11.2022 sent by DPA to Superintendent of Police is annexed herewith and marked as **Annexure- R-21.**
- (xxxii) On 02.03.2023, DPA sent a letter to District Supt. Of Police, Gandhidham highlighting the attempts of the miscreants to encroach DPA land at three different locations situated in the east, South West

and North West direction of Betiya Peer/Ghulamshah Peer Dargah. It was requested that action be taken for removal of encroachment and taking necessary action against the Trespassers. A copy of the complaint dated 2.03.2023 sent by DPA to District Superintendent of Police is annexed herewith and marked as **Annexure- R-22**.

(xxxiii) On 11.03.2023 the Range Forest Officer, Bhachau reported to the Deputy Conservator of Forest, East Kutch regarding the action taken towards of removal of bunds created by miscreants. A translated copy of the letter dated 11.03.2023 sent by Range Forest Officer to Deputy Conservator of Forest is annexed herewith and marked as **Annexure- R-23**.

(xxxiv) DPA vide its letter dated 27.06.2023 to the office of the Collector and District Magistrate, Kutch pointed out the encroachment on DPA land at Bhachau. It was stated that a joint inspection of the area was required to be conducted. A copy of the letter dated 27.06.2023 sent by DPA to Collector and District Magistrate, Kutch is annexed herewith and marked as **Annexure- R-24**.

(xxxv) The Collector and District Magistrate of Kachchh sent a letter dated 11.10.2023 to DPA noting large-scale mangrove destruction and bund construction in DPA's area. DPA was instructed to cancel leases, remove bunds, and restore mangroves. A copy of the letter dated 11.10.2023 sent by Collector and District Magistrate, Kutch to DPA is annexed herewith and marked as **Annexure- R-25**.

(xxxvi) The Forest Officer vide letter dated 13.10.2023 requested DPA for deposit of ₹15,10,000 for increasing the density of mangroves over 100 Ha in Bhachau taluka. A translated copy of the letter dated

13.10.2023 sent by Forest officer to DPA is annexed herewith and marked as **Annexure- R-26**.

(xxxvii) On 26.10.2023, DPA reported the Superintendent of Police, East Kachchh that miscreants had encroached DPA land, blocked roads, threatened officials, and attempted to manhandle them. Action was requested against trespassers. A copy of the complaint dated 26.10.2023 sent by DPA to Superintendent of Police is annexed herewith and marked as **Annexure- R-27**.

(xxxviii) A District CRZ Level Committee meeting was conducted on 01.11.2023 for enforcement and monitoring of CRZ notification 2011. The inspection report of sub-committee's visit on 27.07.2023 and the letter dated 11.10.2023 by Chaiman, DLCRZ were also discussed. DPA was directed to take necessary action for violations observed and submit a report within 15 days.

(xxxix) It is submitted that DPA had lodged Police Complaint. However, for removing the encroachment joint action with State Authorities is required. DPA had time to time requested state authorities to constitute the Joint committee for removing the encroachment.

(xl) In December 2023, the Executive Engineer (Kandla land), DPA issued an office order stating that Chairman, DPA has accorded his approval for deposit of amount of Rs. 15,10,000 with deputy conservator of forest for mangrove plantation in an area of 100 Ha. A copy of the office order dated December 2023 by DPA is annexed herewith and marked as **Annexure- R-28**.

- (xli) DPT vide letter dated 02.01.2024 to the Additional Chief Secretary (Revenue), requested assistance for removal of encroachment by constituting a committee of DPA officials and officials of state government, so that ownership and encroachment issues could be resolved. It was also informed that DPA planned to construct the service road parallel to line bifurcating the DPA land with State Government. A copy of the letter dated 02.01.2024 sent by DPA to the Additional Chief Secretary (Revenue) is annexed herewith and marked as **Annexure- R-29**.
- (xlii) On 19.01.2024, the Joint Secretary, Revenue Department, Gujarat, directed the Collector, Kutch, to take necessary action on DPA's request made on 2.01.2024. A copy of Revenue Department's letter dated 19.01.2024 is annexed herewith and marked as **Annexure- R-30**.
- (xliii) DPA vide a letter dated 05.09.2024 to the District collector, Kachchh requested the formation of a committee of DPA officials and state government officials to remove encroachments on salt lands. A copy of the letter dated 5.09.2024 sent by DPA to the to the District collector, Kachchh is annexed herewith and marked as **Annexure- R-31**.
- (xliv) DPA vide its letter dated 05.11.2024 to the District collector and district magistrate, Kutch highlighted efforts to cancel CRZ-IA leases, remove encroachments, and restore mangroves. A request was reiterated for a joint committee to address encroachments. A copy of the letter dated 5.11.2024 sent by DPA to the to the District collector, Kachchh is annexed herewith and marked as **Annexure- R-32**.

- (xlv) On 03.12.2024, the Range Forest Officer sent a report to the Deputy Conservator of Forest regarding the work of removal of illegal earthen bunds carried out at Bhachau creek by the joint staff of Forest Department, GPCB and DPA. A copy of the report dated 03.12.2024 sent by Range Forest officer to the Deputy Conservator of Forest alongwith translation is annexed herewith and marked as **Annexure-R-33**.
- (xlvi) On 07.12.2024, DPA reported encroachments and mangrove destruction at Bhachau and sought police assistance for encroachment removal. A copy of the complaint dated 07.12.2024 made by DPA is annexed herewith and marked as **Annexure- R-34**.
- (xlvii)DLCRZ committee meeting was held on 29.01.2025 wherein it was decided police department be instructed to provide support for encroachment removal and joint actions by GPCB, the Forest Department, and DPT to remove encroachment and prevent further destruction. Minutes of the meeting was sent to DPA by GPCB vide letter dated 17.02.2025. A copy of the letter dated 17.02.2025 along with minutes of meeting held on 29.01.2025 sent by GPCB to DPA is annexed herewith and marked as **Annexure- R-35**.

PARAWISE REPLY

37. The contents of Para 1 are wrong and denied. It is submitted that DPA has at all times acted in compliance with the directions issued by this Hon'ble Tribunal with respect to the area under its jurisdiction and has neither indulged in nor encouraged any illegal activities resulting in environmental degradation. DPA denies the allegations of deliberate flouting of Tribunal's orders and states that necessary actions have been taken in coordination with the concerned authorities.

38. The contents of Para 2 to the extent they pertain to the judgment dated 11.09.2019 and the filing of the Execution Application is concerned are a matter of record. It is submitted that DPA has never obstructed any creek in the Moti Chirai and Nani Chirai areas and has not engaged in any unauthorized activities in CRZ-I areas. As stated above, it was miscreants who had indulged in illegal activities taking advantage of the facts that some of the areas are inaccessible and that there is a boundary dispute between the DPA and the State Government with regard to some portions of land. The responsibility of ensuring compliance with the Tribunal's orders lies with multiple authorities, including the Gujarat Coastal Zone Management Authority (GCZMA) and the Gujarat Forest Department. DPA has fully cooperated in joint inspections and other compliance measures.

39. The contents of Para 3 are wrong and denied. It is incorrect to allege "utter dereliction of duty" by the Respondent authorities, including DPA. As submitted in preceding paragraphs, the DPA as well as the Respondent authorities have taken action against the illegal encroachments and creation of bunds as and when noticed by the authorities.

40. The contents of Para 4 to the extent it refers to status quo order passed by this Hon'ble tribunal is a matter of record. Rest of the contents of the para are wrong and denied.

41. The contents of Para 5 to the extent they are a matter of record are not denied. The answering respondent would refer to the report dated 27.04.2018 for its true meaning and purport. It is submitted that in none of the reports, DPA was found directly responsible for any environmental violations.

42. The contents of Para 6 to the extent they refer to orders dated 24.05.2018 and 11.09.2019 are a matter of record. However, the answering respondent

would refer to and rely upon the said orders for their true meaning and purport during the course of oral hearing. It is denied that no clear measures were taken in terms of the directions dated 11.09.2019. The answering respondent in the preceding paragraphs has demonstrated in detail how the answering respondent has complied with the directions issued by this Hon'ble tribunal. The same is not repeated herein for the sake of brevity.

43. The contents of Para 7 to the extent of filing of the execution application and the report of the Joint Committee are a matter of record. The answering respondent would refer to and rely upon the report of the Joint Committee dated December 2019 for its true meaning and purport during the course of oral hearing.

44. The contents of Para 8 to the extent that this Hon'ble tribunal passed order dated 16.09.2020 is a matter of record. The answering respondent would refer to and rely upon the order dated 16.09.2020 for its true meaning and purport during the course of oral hearing.

45. The contents of Para 9 are wrong and denied. The answering respondent has mentioned in detail in the preceding paragraphs the various steps taken by DPA towards compliance of the directions issued by this Hon'ble tribunal and for enforcement of CRZ notification as well as Forest Conservation Act. As a responsible government organisation, the DPA has reported to police authorities whenever it noticed illegal activities by miscreants and trespassers in the lands within its jurisdiction. Due to the efforts of DPA many such illegal activities were stopped with the help of authorities and the earthen bunds were removed to ensure free flow of water to the mangroves.

46. The contents of Para 10 are wrong and denied. It is submitted that though the area of Kesari Salt, Gulamsha Pir and Moti Beti belong to DPA but DPA has not allotted any land in these areas for salt manufacturing. In

fact DPA on noticing the encroachments in these areas made a complaint on 18.11.2022 to the police authorities.

47. The contents of Para 11 are wrong and denied. It is submitted that as and when any illegal activity of salt manufacturing or even preparation of land for salt manufacturing by creation of bunds is noticed by DPA, the same is immediately reported to the police authorities and action is being taken to stop such activities. Various complaints filed by DPA i.e. on 18.11.2022, 2.03.2023, 27.06.2023, 26.10.2023 and 7.12.2024 have been filed along with the present reply. The action taken by the Range Forest Officer against illegal activities is also placed on record with this reply.

48. In reply to the contents of Para 12, it is submitted that though these areas falls in CRZ-IA, however, DPA has not granted any permission to any one for salt manufacturing in these three areas.

49. The contents of Para 13 are wrong and denied. It is submitted that DPA had already deposited Rs. 2,42,64,200 way back on 21.11.2020 for restoration of mangroves and removal of bunds in the areas within its jurisdiction. Thus a report contrary to the same is wrong and denied. The work of restoration of mangroves was to be carried out by the Forest department. The suitable three locations for restoration of mangroves were identified with assistance of DPA and a Rojkam was carried out way back on 3.12.2020. Thereafter on 2.08.2022 the Deputy Conservator of Forest confirmed that bund destruction work and mangrove restoration work has been carried out in Naini Chirai, Moti Chirai and Khers Shah Pir creek area. Thus it appears the reporting made in CAG report dated 8.08.2022 is factually incorrect.

50. The contents of Para 14 are wrong and denied. As submitted in preceding paragraphs, the Joint Committee could not identify the real culprits therefore DPA being the owner of the land, it was made liable to pay for the restoration work which it can recover from the real culprits. DPA had accordingly complied with the directions issued under section 5 of the Environment Protection Act and paid the cost for restoration of mangroves in 3 times the area where mangroves were destroyed. It further paid for removal of bunds. DPA has also cancelled the tender pursuant to which allotment was made to Respondent Nos. 8 and 9.

51. The contents of Para 15 are wrong and denied. The newspaper/media reports cannot be conclusive evidence and do not establish any liability on the part of DPA. As submitted in preceding paragraphs, DPA has been making complaints to police authorities whenever there is any encroachment in its area and timely action has been taken for removal of bunds and stopping the illegal activities with support of the GPCB and state authorities.

52. The contents of Para 16 are wrong and denied.

(a) So far as representation dated 07.11.2022 is concerned, as submitted above, DPA has been reporting any illegal encroachments in its areas and appropriate action has been taken to stop such activities.

(b) As submitted above DPA had made compliant to police authorities. Further the Range Forest Officer has reported on 11.03.2023 and 3.12.2024 the action taken by him for stopping the illegal encroachments and removal of bunds.

(c) The RTI application was not made properly and as such the same was rightly pointed out to the applicant. In any case the answering respondent has provided all the relevant information in the present reply affidavit. A list of leases granted by DPA to various parties for

salt production which are currently in operation is annexed herewith and marked as **Annexure R-36**.

- (d) The reliance placed on letter dated 27.02.2023 sent by Range Forest Officer is denied for want of knowledge.
- (e) The answering respondent is not aware of the legal notice dated 17.04.2023 as the same was not marked to it and hence denied for want of knowledge.
- (f) The reliance placed on letter dated 18.05.2023 sent by applicant to the Range Forest Officer is denied for want of knowledge.
- (g) The contents of para (g) are denied for want of knowledge.
- (h) The contents with regard to the incident dated 02.06.2023 are denied for want of knowledge. The alleged threat to the Applicant's members was a law and order issue, with which DPA is not concerned. A bare perusal of the complaint shows that no allegations were made against DPA or any of its officials in the complaint.
- (i) The contents of letters dated 22.06.2023 and 3.07.2023 are denied for want of knowledge. None of these letters were marked to DPA.
- (j) The contents of para (j) are denied for want of knowledge. The answering respondent was not marked on the communication sent by applicant to Sub-Divisional Magistrate.
- (k) That so far as the contents of para (k) are concerned, the letter dated 2.01.2024 sent by DPA to the Additional Chief Secretary (Revenue) is self explanatory.
- (l) The contents of para (l) and (m) are wrong and denied. It is denied that no compliance of directions issued in letter dated 11.10.2023 was carried out. It is submitted that the illegalities if any were committed by trespassers. The DPA had reported the matter to police authorities. DPA was also constantly requesting the state authorities to constitute a committee of DPA officials and officials of State government so that ownership issue and encroachment issues can be resolved.

53. The contents of para 17 are wrong and denied. No reliance can be placed on a newspaper report. The alleged IUCN classification of mangroves as “vulnerable” does not attribute any specific liability to DPA or shows any non-compliance of directions issued by this Hon’ble tribunal.

54. The contents of para 18 are denied. The proposal for expansion of Deendayal Port is at a preliminary stage and will undergo all necessary environmental clearances as per applicable laws. Further this location is at a difference place and is not relevant for the purposes of present proceedings.

55. The contents of para 19 are wrong and denied. The same is adequately replied in preceding paragraphs and is not repeated herein for the sake of brevity.

56. The contents of Para 20 are wrong and denied. The reliefs regarding penalties under the NGT Act, 2010, are misconceived. DPA has acted in good faith, complied with the directions, and has been taking all measures to ensure that no illegal activities take place on its land. As submitted above a lot of support of state machinery is required to deal with these trespassers/hooligans.

57. The contents of para 21 are wrong and denied. So far as DPA is concerned, it has complied with the directions issued by this Hon’ble tribunal. The allegation of non-compliance is therefore misconceived and not based on facts. DPA has remained fully compliant with the orders of the Hon’ble Tribunal and has proactively undertaken all necessary steps to protect the environment, prevent encroachments, and conserve mangroves.

REPLY TO GROUNDS

58. The contents of Ground A are wrong and denied. Since DPA has complied with the directions of this Hon'ble Tribunal, the present application qua DPA is misconceived and thus liable to be rejected.

59. The contents of ground B are wrong and denied. DPA had deposited the amount asked from it for the purposes of restoration of mangroves and removal of bunds in the areas falling in DPA's jurisdiction. The deputy conservator of forest had also confirmed that all earthen bunds were removed.

60. The contents of ground C are also factually incorrect. The same have been adequately replied in preceding paragraphs.

61. The contents of ground D are also factually incorrect. The same have been adequately replied in preceding paragraphs.

62. The contents of ground E are also factually incorrect. The same have been adequately replied in preceding paragraphs.

63. The contents of ground F do not concern the answering respondent.

64. The contents of ground G are wrong and denied. It is submitted that DPA has not given any permission for salt manufacturing in CRZ-IA area. Salt manufacturing is a permissible/regulated activity in other areas for which DPA has put conditions in the lease deed for the lessee to obtain the requisite permissions before any construction activity is carried out in areas where salt manufacturing is permissible. DPA does a regular inspection of its areas and any violation by trespassers or any activity in mangrove areas by

miscreants is immediately reported to the State authorities for appropriate action to be taken.

65. The contents of ground H are wrong and denied. The same has been adequately replied in preceding paragraphs.

66. The prayers sought in the application are liable to be rejected so far as the answering respondent is concerned, as DPA is in full compliance of the directions issued by this Hon'ble tribunal with respect to the areas within its jurisdiction.

67. It is submitted that DPA is equally concerned with the protection of environment including coastal areas and have made all efforts to ensure that there is minimum impact on the environment by any of the activities undertaken by DPA. Furthermore, DPA has always taken proactive steps on environmental issues like mangrove plantation, green belt development, oil spill management plan, solid waste management etc. DPA has carried out mangrove plantation in an area of 1600 Ha between the period 2005 to 2023 through various government agencies.

68. In view of the above facts and submissions, the present Execution Application is liable to be dismissed qua the answering Respondent No. 6.

Filed by:


Sameer Parekh

(PAREKH & CO)

Advocates for Respondent No. 6

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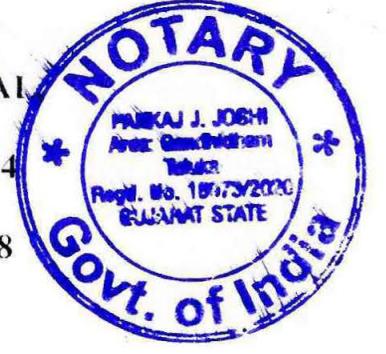
Mobile: 9871772403

Enrollment no.: D/823/1993

Place: New Delhi

Date: 28.02.2025

BEFORE THE 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.

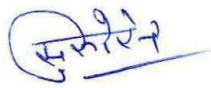
... Respondents

AFFIDAVIT

I, Sunil Soren, s/o Caius Soren aged about 53 years, having office at Deendayal Port Authority Gandhidham, do hereby solemnly affirm and declare as under: -

1. That I am the Authorised Representative of the Respondent No. 6 and am competent to swear this Affidavit.
2. That I have gone through the accompanying Reply Affidavit which has been drafted by my counsel under my instructions as gained from the records maintained by the Answering Respondent in the normal course of business and believed by me to be true and correct. That nothing contained therein is false and nothing material has been concealed therefrom.


PANKAJ J. JOSHI
NOTARY
Gandhidham-Kachchh


DEPONENT
अधिसासी अभियंता (केएल)
दीनदयाल पोर्ट प्राधिकरण
Executive Engineer (KL)
Deendayal Port Authority

25 FEB 2025



VERIFICATION

I, the deponent abovenamed, do hereby verify that the contents of paras 1 to 2 of my above affidavit are true to my knowledge, no part of it is false and nothing material has been concealed therefrom.

Verified at Gandhidham on this 25th day of February, 2025.

(Handwritten signature)

IDENTIFIED BY ME

Umar Ansari
Umar Ansari
Advoc M L

DEPONENT
अधिशाली अभियता (केएल)
दीनदयाल पोर्ट प्राधिकरण
Executive Engineer (KL)
Deendayal Port Authority



SWORN/SIGNED BEFORE ME

(Handwritten signature)
(PANKAJ J. JOSHI) NOTARY
GANDHIDHAM KACHCHH (GUJARAT)
SR. NO. 2135/2025
DATE: _____

25 FEB 2025

DEENDAYAL PORT TRUST

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 ESTATE DIVISION
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 A.O. BUILDING,
 POST BOX NO. 50
 GANDHIDHAM (KUTCH)
 PIN CODE - 370 201



No.: LW/PL/3361-IV/1088

DATED: 13-12-2019

To,

The Joint Inspection Committee (NGT),
 Office of Sub. Divisional Magistrate, Bachau,
 Prant Office,
BACHCHAU (KUTCH)
GUJARAT

DPT REPRESENTATION BEFORE COMMITTEE FORMED BY THE HON'BLE NGT FOR INSPECTING THE RELEVANT SITES MENTIONED UNDER THE FINAL ORDER PASSED BY THE HON'BLE NGT IN O.A. No. 111/2018 AND I.A. No. 20/2019

The Hon'ble NGT, New Delhi, has pronounced Judgement on 11th September, 2019, in the O.A. 111/2018 (I.A. 20/2019) filed by the Kachchh Camel Breeder Association. The said O.A. was filed alleging certain violations of the provisions of the CRZ Notification, 2017, by DPT, in the region of Nanjchiral and Moti Chiral and Jungli areas etc.

The Hon'ble NGT, vide Para 22(ii) of aforesaid Judgement, has directed the Forest Department, GoG, the Gujarat Coastal Zone Management Authority (GCZMA) and Revenue officials, Kutch, to 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 mangrove, damaged.

In compliance to the above, the Joint Inspection Team visited the relevant sites in coordination with the Deendayal Port Trust officials and in presence of the Applicants on 10/12/2019 and 11/17/2019. The information and documents sought by the Committee was provided by DPT. While concluding the inspection, the inspection team has allowed the concerned parties to place their further written submissions/contentions, if any, so that the same may be considered and

incorporated in their final Inspection Report.

In context of above, the Deendayal Port Trust, being Respondent No. 6 in the above mentioned case/s, wishes to respectfully submit as under for kind consideration of the Joint Inspection Committee:

1. The DPT respectfully requests the members of the Joint Inspection Committee to kindly peruse the contents of the Applications filed by the Applicant, against DPT, in the subject matter alongwith the response of the DPT by way of Affidavit/s and Rejoinder/s in reply, in its entirety.

2. It is further submitted that in the instant Inspection process, the DPT cannot be considered as an accused party or an alleged party to the violations of the statutory norms, under any circumstances since the base/reasons/allegations for which the inspection team is conducting the visit, have already been heard and dealt by the Hon'ble NGT, New Delhi in the aforesaid Original and Interlocutory applications, vide its numerous successful hearings conducted in the subject matter.

3. The Committee is requested to kindly take a note of the fact that despite of all the baseless allegations by the Applicants and subsequent numerous hearings conducted by the Hon'ble NGT, wherein each and every aspect has been deliberated by the Hon'ble NGT, the Hon'ble NGT has not passed any orders against the DPT. In fact, if the order is read as a whole it would be clear that the NGT has found that it was due to encroachments that the mangroves have been destroyed. The said encroachments have happened due to lack of demarcation of lands. This fact in itself grants a firm evidence and reason to the committee to exempt the DPT against all charges during their inspections since the entire blame was put on DPT for the destruction of mangroves and blockage of creeks and further since after hearing the arguments of all the parties, NGT has not granted the prayers sought in the application/s against DPT and the DPT has not been held responsible for the destruction in the final order passed by the Hon'ble NGT on 11/09/2019.

4. It further clear from the order dated 11/09/2019, that since the DPT was found non-guilty in the subject matter, the Committee has been directed to inspect the affected areas and find out the actual persons who were responsible for the alleged violations of the CRZ Notification-2011 and penalize them in accordance with law.

5. The Para 20 of the NGT order makes the position very clear, which is reproduced herein:

"20. In view of the submissions made above, it is amply clear that there is no demarcation which are existing on the ground between the land belonging to the DPT and the revenue land with the result there has been several instances of encroachments in the revenue land as well as land belonging to the DPT and the people have taken advantage of the situation that was prevailing on the ground and the salt pans have been created by constructing bunds across creeks which has caused death of mangroves."

Evidently, the NGT has come to the conclusion that destruction of mangroves have been done due to encroachments and encroachments have happened due to lack of demarcation. Thus, since DPT is not responsible for lack of demarcation, no blame can be put on DPT. In fact, the DPT has been time and again requesting the State Government to demarcate the lands. The Committee members are requested to kindly peruse the NGT proceedings of the subject matter wherein numerous evidences of communications with the State Government since 2010 regarding demarcation of land has been placed before the NGT.

6. Keeping Para 20 of Judgement in mind, the following directions given by NGT is to be read:

"(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. This may be done within a period of one (1) month from today."

7. The DPT further respectfully submits that DPT is neither into business of Salt manufacturing nor Salt trading. Hence, obstruction of creeks has been evidently and logically done by the salt manufacturers of this region. Thus the direction by NGT, when read in light of Para 20, leaves no manner of doubt that it is salt manufacturers who have been found to be liable for Environmental damage. So far as DPT is concerned, it cannot be blamed only because it is the owner of land.

8. With regard to the O.A. 111/2018 matter, wherein 05 Plots of land were allotted to successful bidders for the purpose of Salt Manufacturing, it is to submit that the salt manufacturing is a permissible activity under CRZ notification and in order to generate revenue for the exchequer, the DPT has been allotting the Plots on lease basis for the Salt production since more than 50 years to the tune of around 16000 acres land. The allottees are selected based on e-tender cum e-auction basis, which is as per Ministry of Shipping norms. Also, the tender conditions very clearly contain all Environmental & CRZ safeguards and do not permit the allottees to start any activity without Environmental / CRZ clearances. The copy of Special Condition Nos. 4.19 & 4.26(A), Chapter-IV of the Tender Document of the plots under scrutiny is enclosed herewith as Annexure-1.

9. Kind attention of the Committee is requested to the copy of Letter Issued to the allottees of the 05 plots (Annexure-2 Colly.) dated 12/06/2017. It is respectfully submitted that such a communication was made with the respective allottees, under the circumstance mentioned therein and after the due process of Issuance of Pre-acceptance Letter, payment of Security Deposits and Advance Lease Rents by the respective allottees and also after the Issuance of the 'Allotment Letters' in Feb. & March-2017 to the respective allottees (Annexure-3 Colly.).

10. As already submitted to the Hon'ble NGT, vide Affidavit in reply dated 21/05/2018, that after Issuance of Letter dated 12/06/2017, the DPT had conducted

regular monitoring on the said 05 plots in order to ensure proper compliance of all the statutory norms. However, the allottees did not start any activity uptill end of Dec-2017, stating that due to waterlogged area, it was difficult to carry out any activity and that they shall inform DPT as and when they start any activity. It was then directly in 26/02/2018, wherein DPT received a Notice from the GPCB, Gandhidham, mentioning occurrence of violations of the CRZ norms in the said 05 allotted plots. Immediately, Notices were issued to the respective allottees, the copies of same are placed at Annexure-4 (Colly.).

11. Also, on being informed regarding violations of CRZ Norms on 26/02/2018 by the GPCB, the DPT, vide Work Order dated 04/05/2018, appointed M/s. Gujarat Institute of Desert Ecology (GUIDE), a renowned organization in the field of Environment and Mangrove preservation, to study the affected area, quantify the damage done, if any, and suggest the restoration plan for the same. The report submitted by the GUIDE is enclosed herewith as Annexure-5 for kind perusal of the respected Committee members. The Summary of the Report is self explanatory and gives a clear view of the picture that the Hon'ble Committee might be in search.

12. In context of the facts and documents submitted as above, it is very clear and evident that such activities were probably carried out either by the allottees with early commercial gains in mind or may be the miscreants, having perception that the lands are vacant, unused and unmonitored and hence can be unauthorizedly occupied by them for their illegal commercial gains by salt manufacturing. Some of the names involved in carrying out such activities that evolved during various inspections conducted thereafter by the DPT officials in Feb-2018 and March-2018 of the persons are given below:

- a) Ramlal Kubharam Chaudhary
- b) Laxman Maga Koli
- c) Pancha Lakha Tharu

13. With regard to the I.A. 20/2019 matter, the Para 20 of the NGT Judgement mentioned above makes it very clear as to how the encroachments and destruction of mangroves have taken place in the vacant DPT / GoG Revenue Land, which has not been demarcated. The recovery of Environmental damage is to be done from miscreants who were actually responsible for obstruction of creeks and not the DPT.

14. So far as DPT is concerned, it cannot be blamed only because it is the owner of plots. As the owner of the land, DPT can only protect them by arranging regular monitoring of vast land and reporting any incident of encroachment / illegalities to the local Police authorities and to see that authorities do their job to remove the encroachments. DPT has been regularly doing that. In fact, on complaints made by DPT, the police authorities have acted and on many occasions miscreants have been removed from the lands. These facts were also brought to the notice of NGT.

Also, during the inspection of the NGT Committee, it was DPT officials who have submitted the evidences and images of the illegal activities that were carried out

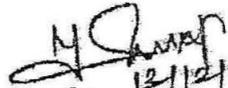
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in past and complaints of the same made to the local Police authority. For the sake of ready reference, the complaints, reports, FIRs and communications made with the local Police Stations and S.P. (Kutch) are enclosed herewith as **Annexure-6 (Colly.)**.

15. In light of submissions placed as above, the Committee is humbly requested to kindly consider the same and discharge the DPT from all accusations in the subject matter and recognize the actual culprits on the ground and take actions against them in accordance with the law. Being a renowned Organization and a responsible limb of the State, the Deendayal Port Trust cannot be a party to the violations of the statutory norms and assures all the co-operation and support to the Committee for this purpose.

16. We anticipate that our submissions would be considered favourably by the respected Committee members and oblige.

17. This submission is placed before the Committee with the approval of the Competent Authority, Deendayal Port Trust.


12/12/19
Executive Engineer (Kandla Land)
Deendayal Port Trust

JOINT INSPECTION REPORT ON NANI CHIRAI, MOTI CHIRAI
AND JANGI AREAS, TALUKA: BHACHAU, DIST: KUTCH
(IN COMPLIANCE OF ORDER OF HON'BLE NATIONAL GREEN
TRIBUNAL, PRINCIPAL BENCH, NEW DELHI IN THE MATTER OF
KACHCHH CAMEL BREEDERS ASOCIATION V/S UNION OF
INDIA & OTHERS
[O.A. NO. 111/2018]

40



DECEMBER 2019

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1.0 BACKGROUND

Member Secretary, Gujarat Ecology Commission (GEC) through its letter dated 21st August-2018 informed to GCZMA about destruction of mangrove at Nani Chirai and Moti Chirai areas of Bhachau, Dist: Kutch based on representation made by Prof. Nagar, M S University to GEC.

Based on this, GCZMA directed Collector & Chairman, District Level Committee, Kutch and Regional Officer and MS, District Level CRZ Committee, Kutch through letter dated 26-02-2018 to get the matter verified and initiate suitable actions ensuring that no destruction of mangrove had taken place. They were also requested to take necessary actions and submit an action taken report to GCZMA.

The Gujarat Pollution Control Board, Gandhinagar submitted a letter dated 03-04-2018 along with a copy of an inspection report dated 14-03-2018 carried out by the Sub-Committee of District Level Committee, Kutch based on the representation received and as requested by the GCZMA.

It was mentioned that the sub-committee headed by the DCF, Kutch (east) and comprised of representative from DILR, GPCB, GUIDE, Fisheries Department, Mamlatdar - Bhachau and NGO, etc visited the site on 14-03-2018. The committee visited five plots and surrounding areas.

The observations were as under:

- Representative of Deendayal Port Trust (DPT) informed that the said area of total five plots admeasuring an area of 3500 acres, is leased out for salt production activity to M/S. Shree Jyoti Salt Industries and M/S Shri Ram Salt Supply
- It was observed 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
- Land levelling was noticed which affects the minor creek system within area
- 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 classified as moderate mangrove and balanced 500 acres can be classified as open mangrove(sparse mangrove)

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- The Committee has also noticed extensive construction of earthen bunding's even beyond the five above said plots. Since the length of bunds were extensive it was very difficult to predict the exact impact area due to bunds. Never the less, this could impact several folds of the lease areas as mentioned above
- The bunding's/levelling activity was carried out since two—two and half months
- Since the area falls under mangrove i.e CRZ-IA, any activity without prior permission on habitat alteration or removal of mangroves is a case of clear violation of CRZ Notification 2011 as amendment thereof

The Sub-Committee recommended following actions:

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

Based on the Sub-committee report, Collector and District Magistrate & Chairman of the District Level CRZ Committee has issued Advisory letter to M/S Deendayal Port Trust on 28-03-2018. The District Collector has also requested to take all the actions under Environment (Protection) Act 1986 and also requested to appraise the State Government accordingly.

Based on the DLC report and request from Collector, Kutch, Directions under Section 5 of Environment (Protection) Act, 1986 were issued on 20-04-2018 to M/S Deendayal Port Trust as follows;

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

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4. The restoration plan needs to be prepared for the impacted and surrounding areas and effective implementation should be envisaged with appropriate monitoring mechanism

In the meantime, the Kachchh Camel Breeders Association has filed an Original Application No 111 of 2018 versus Union of India, through Secretary, MOEF&CC and Others against the violations CRZ Notification 2011 issued by the Ministry of Environment, Forest and Climate Change, Government of India as well as the violations of Forests Conservation Act, 1980 by rampant clearing of the mangroves in Nani Chirai and Moti Chirai area of Bhachau Taluka in Kutch District by Deendayal Port Trust.

The Hon'ble National Green Tribunal vide order dated 19th March, 2018 directed that status quo be maintained till further orders in order to stop the destruction of mangroves. The Tribunal had also ordered Joint Inspection to be conducted and a report in this regard to be filed by the Gujarat State Pollution Control Board (GPCB) and the Central Pollution Control Board (CPCB).

Joint Inspection of the site was conducted on 13th April, 2018 by officials of the GPCB and CPCB and the report was filed on 27th April, 2018:

On 28th April, 2018, it was noted that obstructions caused in the creeks have resulted in depletion of the water in the areas where mangroves were growing and if this position continues, destruction will be complete. Besides, if the water is not allowed to pass through the creeks, it will destroy all the mangroves and the area will be exposed to reclamation which may be the intention of the vested interests. The Gujarat State Pollution Control Board (GPCB) assisted by the District Magistrate was directed forthwith to visit the spot and remove all obstructions from the creeks to ensure flow of water to the area where mangroves exist. The GPCB was asked to report compliance within ten (10) days from 24th May, 2019.

The Gujarat Pollution Control Board filed an affidavit in 3rd July, 2019 in compliance with reference to Hon'ble NGT order dated 24-05-2019 stating that with the assistance of the Collector and District Magistrate, Kachchh completed the work of demolition of bunds and removal of all obstructions to the satisfaction of the complainant.

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The Kachchh Camel Breeders Association again filed an I.A. No 20 of 2019 in O.A. No-111 of 2018 on 08-01-2019 regarding continuation of mangrove destruction in and nearby creeks in Jangi Village areas.

The District Level CRZ Committee informed regarding this issues, as the applicant Kachchh Camel Breeders' Association made a representation on 03-01-2019 to MS, District Level Committee and submitted that the District level Committee met on 08-03-2019 in Shri Aadatbhai Bhachubhai Jat, a representative of Kachchh Came Breeders Associations, who informed that no activities have been started on that place. Also the site was not approachable. The DPT informed that they have informed the Superintendent of Police on 26-12-2018 (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-lease of M/S Kanoria Chemicals near Village Jangi. The Committee Directed DPT on 02-05-2019 for removal of bunds at Jangi Village.

The Forests and Environment Department filed an affidavit on 01-02-2019 before the NGT with a request that a subcommittee would be visit the site and take necessary action; DPT also filed a reply on 24-01-2019

Further to this, based on Hon'ble NGT oral order on 08-05-2019, Directions Under Section 5 of Environment Protection Act, 1986 were issued on 12-06-2019 to Deendayal Port Trust as follows:

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 DPT
3. Stop the construction of bunds of any kind anywhere within CRZ areas of this region as well as in DPT areas

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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 DPT with an appropriate Mechanism
6. An Action Taken report in this regard shall be submitted immediately

The District Level Committee was also requested to file FIRs against known-unknown persons for destruction of mangroves and violating the Environmental Laws.

The Hon'ble National Green Tribunal has passed an order on 11-09-2019 as follows:

1. 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.
2. 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.
3. If there has been any activity in violation of CRZ Notification 2011, the GCZMA will immediately take actions in accordance with law.
4. 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.
5. 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.
6. 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.

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7. 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.

The matter was disposed of with above directions

This matter was discussed in the 45th meeting of Gujarat Coastal Zone Management Authority, which was held on 04-10-2019, During the meeting the Anthony deliberate the issues and after detailed discussion, it was decided that to constitute committee of following members from GCZMA alongwith others members from Forests and Revenue Department and carry out visit and submit report about actions required to taken in compliance NGT order dated 11-09-2019

1. Director , BISAG, Member GCZMA
2. Representative of MS, GPCB, Member GCZMA.
3. Shri Nischal Joshi, GEC
4. Representative of PCCF(WL), Member, GCZMA.
5. Shri H.B.Chauhan. Member, GCZMA.

However, due to preoccupation of Director, BISAG, It was decided to include Dr. Manan Shukla, Manager (Environment), Gujarat Maritime Board as a member of the Committee.

The Collector, Kutch vide its letter dated 09-11-2019 has directed the Conservator of Forests. Kutch(East) along with other members of District Level Committee to carry out site visit of the areas as alleged in the petition and submit report within three days.

Attempts were made to carry out site visits by the GCZMA committee and DLC, however due to pre-occupancies, it was not materialized. However, finally, the site visit was carried out on 10-12-2019 and on 11-12-2019

2.0 SITE VISIT.

As decided the site visit was carried out during 10-12-2019 and 11-12-2019 by the Committee of GCZMA and District Forest Officials and District Revenue Officials and members of DLC.

In the beginning of the visit, committee started with meeting all stakeholders. Meeting with all stakeholder was conveyed on 10-12-2019 under Chairmanship of SDM, Bhachau, Kutch at SDM, Office, Bhachau, along with the District level

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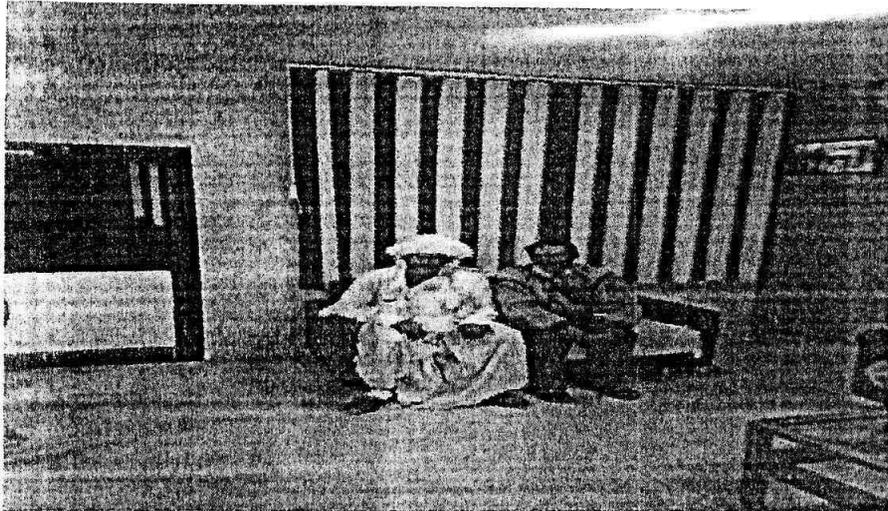
Forests officials, Committee members, Representative of Deendayal Port Trust and representative of the Petitioner wherein the following officials remained present during meeting:

OIA no. 11/2018 (P. A. No. 20/2018) passed by Hon. NGT on Dtd. 14/09/2018, Bha-hav, Kochi
Date: 10.12.2019

Sr. No.	Name	Designation	Organization	Contact No.	Signature
1	P. H. Jambhale	SO (M) - Bhusha		9448112488	
2	Nischal Jadhav	SO (M) - GSE	GSE	9448112488	
3	J. H. S. Suresh	Joint Secy	DDO	9448112488	
4	K. S. Suresh	Asst. Secy	DDO	9448112488	
5	Dr. H. Suresh	Asst. Secy	DDO	9448112488	
6	M. S. Suresh	Asst. Secy	DDO	9448112488	
7	R. S. Suresh	Asst. Secy	DDO	9448112488	
8	M. S. Suresh	Asst. Secy	DDO	9448112488	
9	M. S. Suresh	Asst. Secy	DDO	9448112488	
10	M. S. Suresh	Asst. Secy	DDO	9448112488	
11	M. S. Suresh	Asst. Secy	DDO	9448112488	
12	M. S. Suresh	Asst. Secy	DDO	9448112488	
13					
14					
15					
16					

During discussion with the representatives of applicant, it was informed that process of bunding and destruction of mangrove has taken place at two places, namely 1) the area where DPT has given lease for salt work and 2) near Jangi area.

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APPLICANT BEING HEARD IN THE MATTER BEFORE SITE VISIT

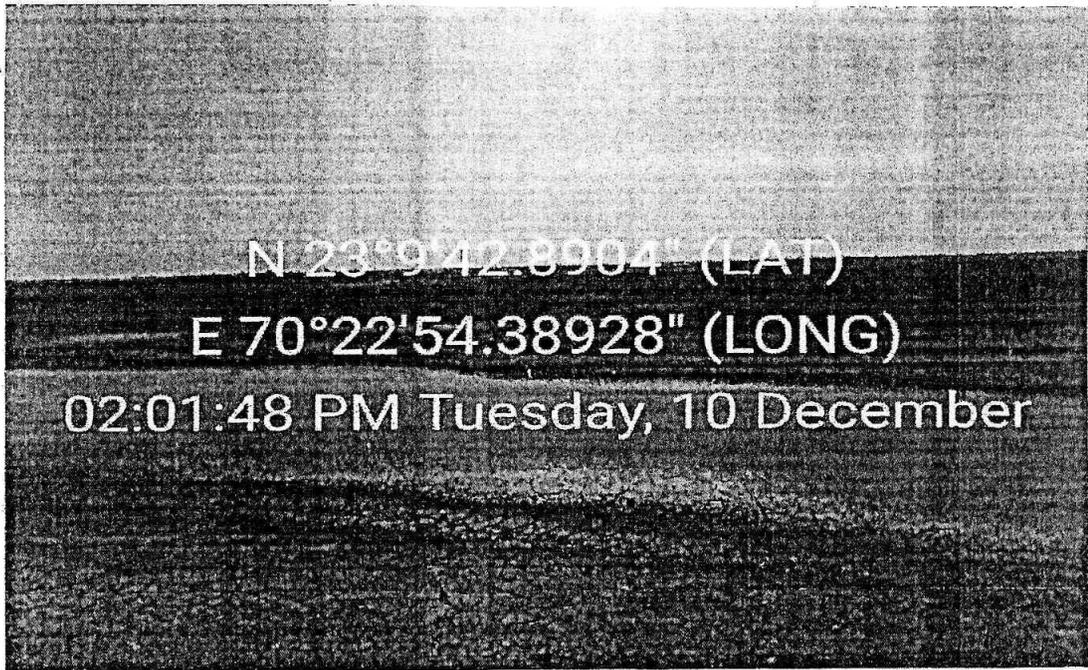
After meeting, site visit of the Deendayal Port Trust area was carried out by the above officials and observations were as under:

3.0 SITE VISIT ON 10-12-2019

OBSERVATIONS:

Committee visited the area on 10th December 2019 allotted by DPT on lease for the salt pan work to Shri Jyoti salt industries and Shri Ram salt supplies. It was not possible to approach exact location due to inaccessibility of that area. Members were able to approach the nearest possible point and from there members observed the affected area. The corresponding site visit photographs are as following:

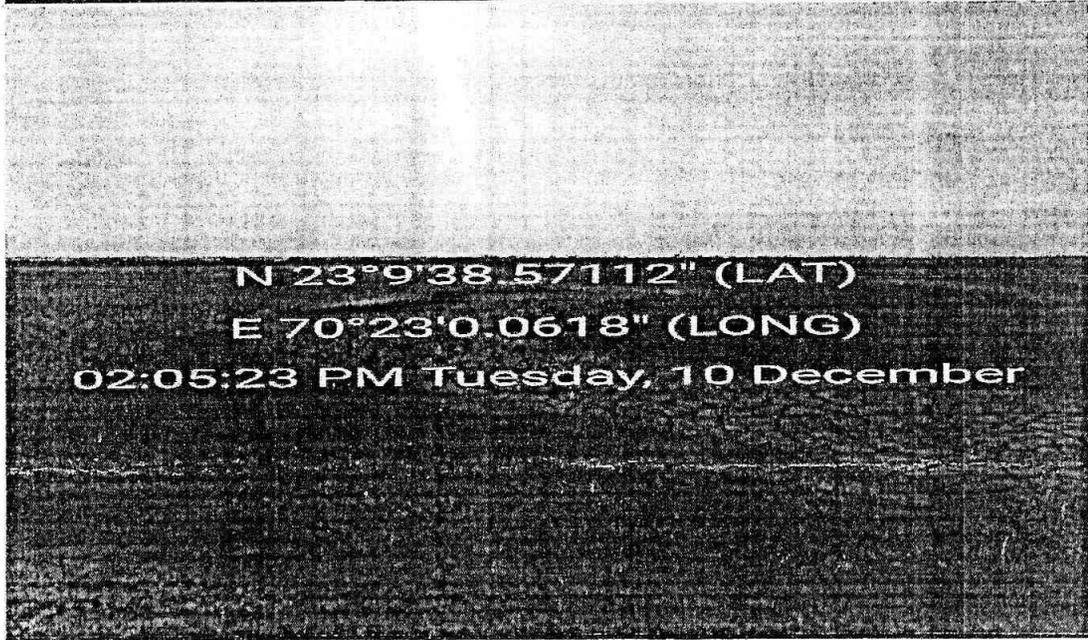
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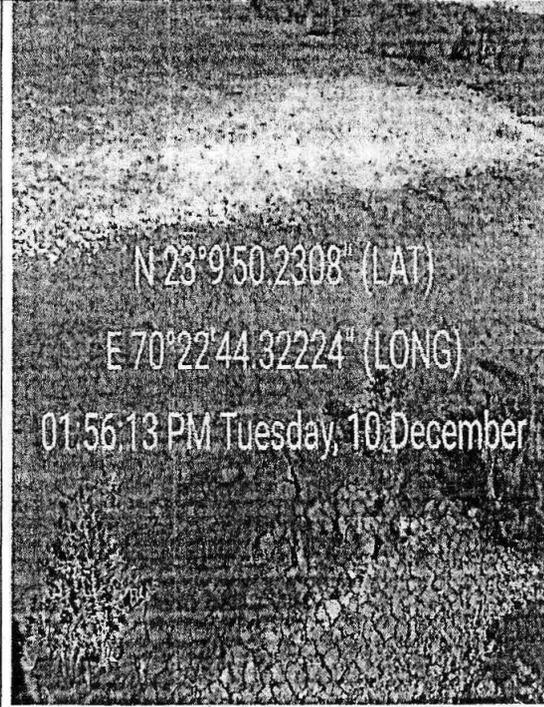
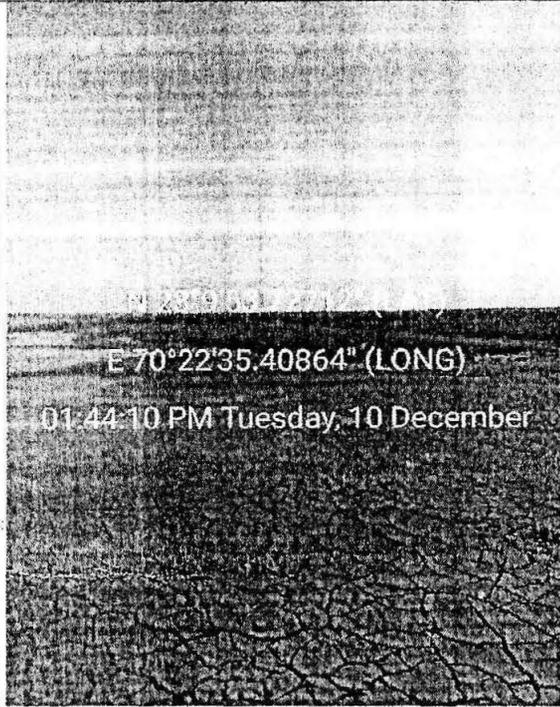
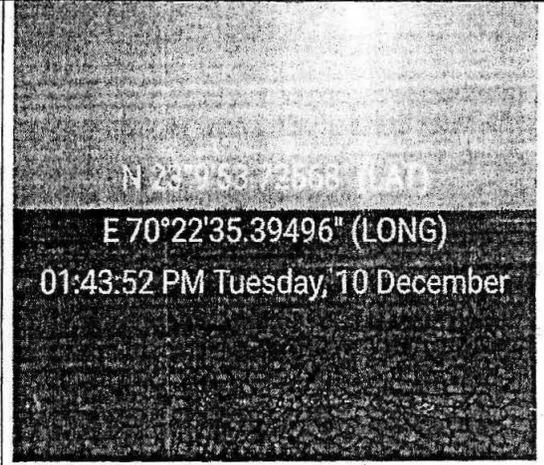
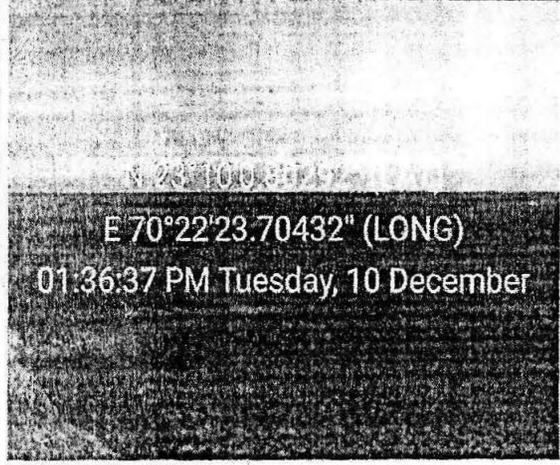
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SITE VISIT PHOTOGRAPHS



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DRYING OF ENTIRE AREA DUE TO BLOCKAGE OF CREEKS FOR SALT PRODUCTION

4.0 SITE VISIT ON 11-12-2019

OBSERVATIONS

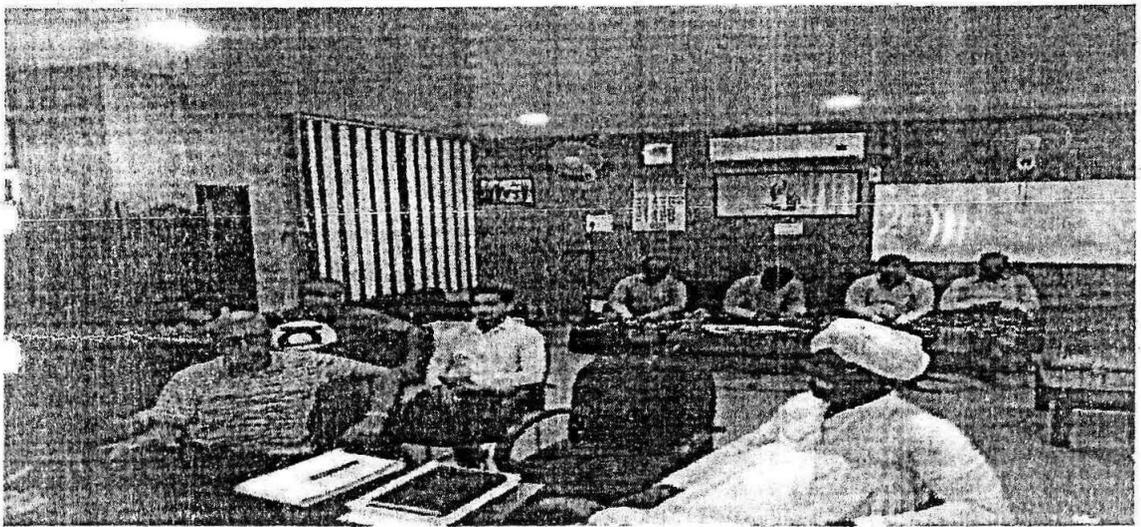
On 11th December 2019, committee visited the Jangi area, at this place also it was not possible to reach the exact location due to inaccessibility of the area, committee members observed the location from the nearest point at bank of the creek. After visiting the place, all present stake holder had put their views to the committee.

List of Committee Members and other designated officials present during site visit in compliance with O/A No. 111/2018 (I. A. No. 20/2019) passed by Hon. NGT on Dtd. 11/09/2019: Bhachau - Kachchh
Dt.: 11-12-2019

No.	Name	Designation	Organization	Contact No.	Signature
1	Dr. Harshad B. Chauhan	Retd. Secy/Eng.	ISRO	9827417289	[Signature]
2	A. K. Bhatnagar	Member Secy. Bhachau		9827417289	[Signature]
3	A. K. Bhatnagar	Actg. Secy. Bhachau		9827417289	[Signature]
4	Dr. Manoj Kumar	Member. Bhachau	Government	9827417289	[Signature]
5	Nischal Joshi	Secy. Bhachau	GOI	9827417289	[Signature]
6	Dr. Manoj Kumar	Member. Bhachau	Government	9827417289	[Signature]
7	Ashok M. Chaudhary	Member. Bhachau	GOI	9827417289	[Signature]
8	Dr. Manoj Kumar	Member. Bhachau	Government	9827417289	[Signature]
9	Dr. Manoj Kumar	Member. Bhachau	Government	9827417289	[Signature]
10	Dr. Manoj Kumar	Member. Bhachau	Government	9827417289	[Signature]
11	Dr. Manoj Kumar	Member. Bhachau	Government	9827417289	[Signature]
12	Dr. Manoj Kumar	Member. Bhachau	Government	9827417289	[Signature]
13	Dr. Manoj Kumar	Member. Bhachau	Government	9827417289	[Signature]
14	Dr. Manoj Kumar	Member. Bhachau	Government	9827417289	[Signature]
15	Dr. Manoj Kumar	Member. Bhachau	Government	9827417289	[Signature]

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MEETING HELD WITH APPLICANT AFTER SITE VISIT ON 11-12-2019



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COMMITTEE MEETING WITH DPT OFFICIALS**5.0 OBSERVATIONS OF THE FIELD VISIT Dated 10th December-2019**

Following observations made by the committee during the field visit

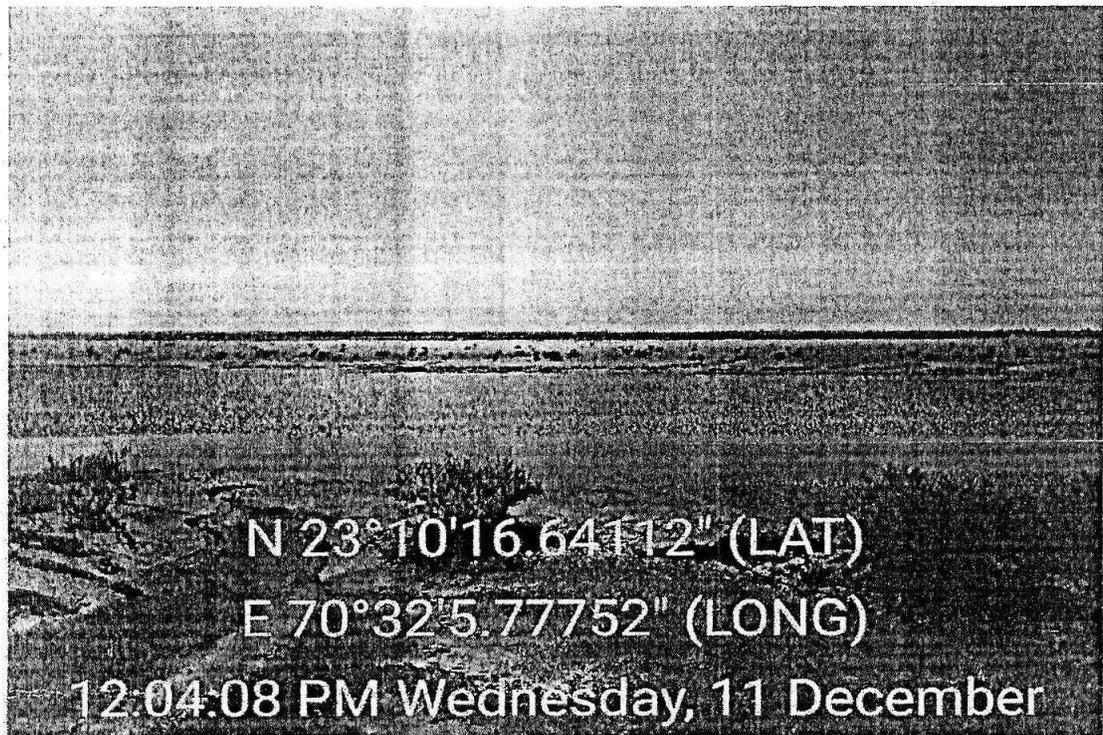
1. Bunds in intertidal areas were observed in the areas leased by DPT.
2. It was also informed by the GPCB & Forest Department officers that Mangroves were destructed in this area, however due to inaccessibility of areas committee was not in position to reach the mangrove destructed areas.
3. One of the petitioners has showed another area [near *Khersa Pir* mosque, Ambaliyara] in which bunds are created about 1 KM length by some unknown persons, however it was confirmed by the DDP/T officers that this land is belongs to DPT. Committee observed the bunds created and also seen that due to that mangroves destruction taken place.

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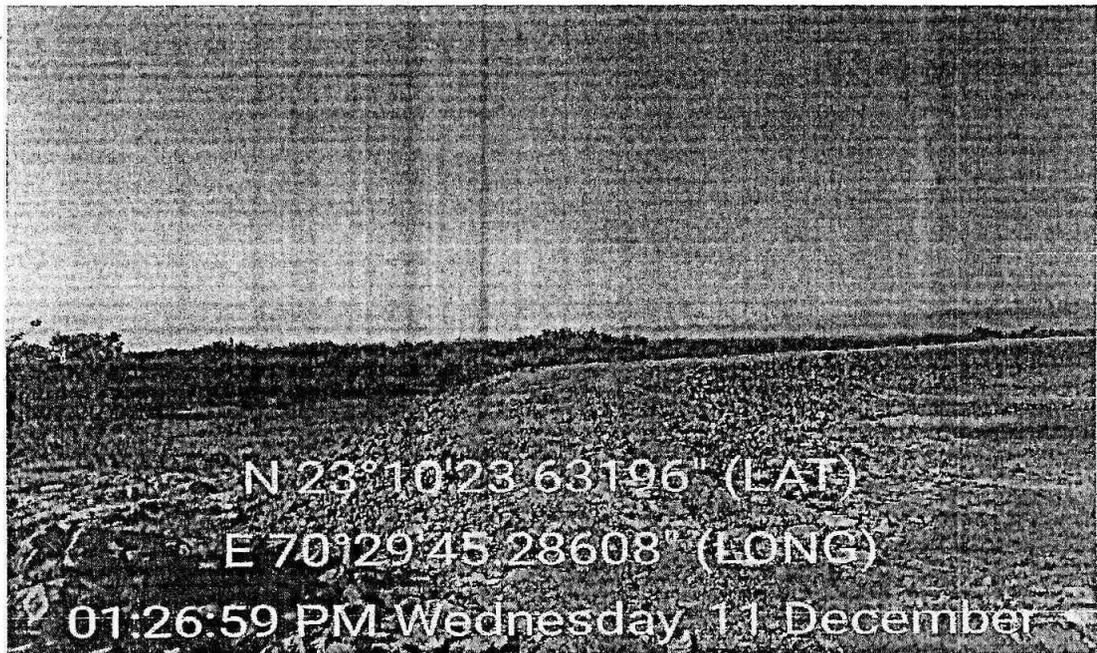
OBSERVATIONS OF THE FIELD VISIT Dated 11th December-2019

1. The sites under question are inaccessible hence; committee was not able to observe any destruction during site visit. Therefore, committee has decided to review the site using satellite images to find the period of bund construction activities and destruction of mangroves, if any. It was also decided to use time series satellite data for the same.

The Detailed satellite images after duly superimposition of the sites in questions are received from BISAG on 13th July, 2020.



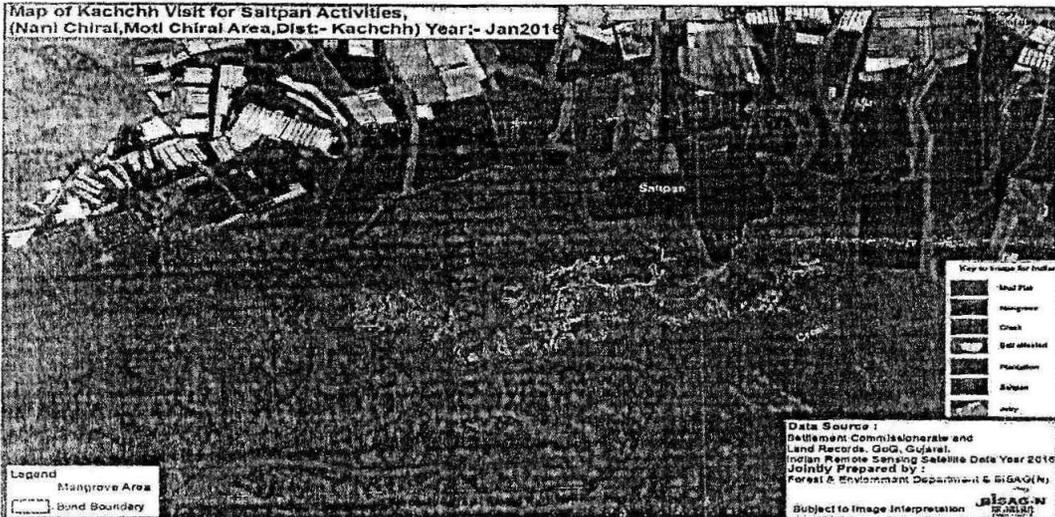
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Ermedan
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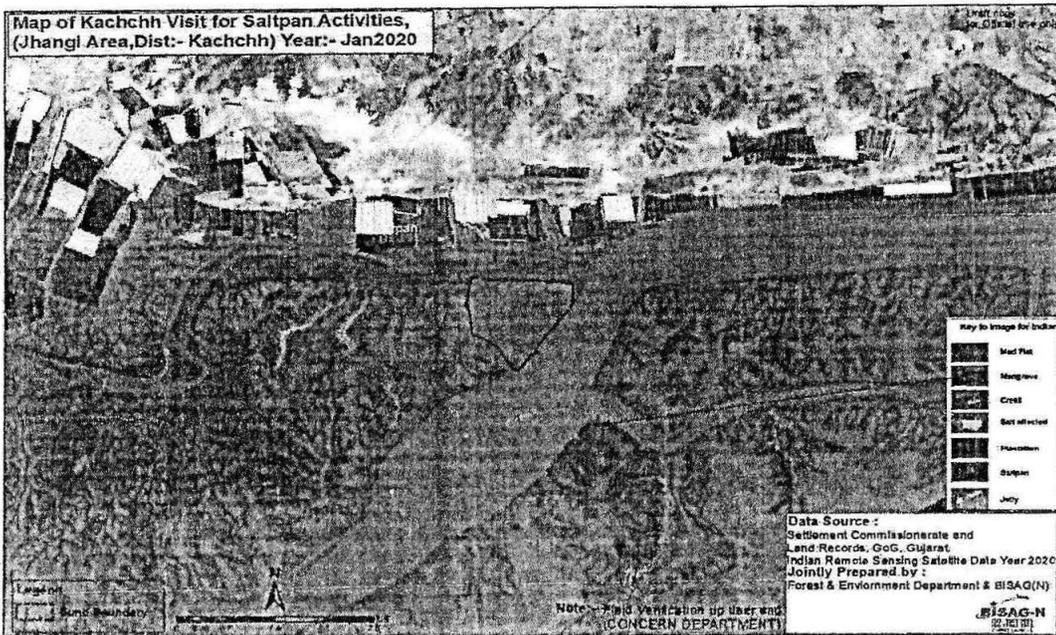
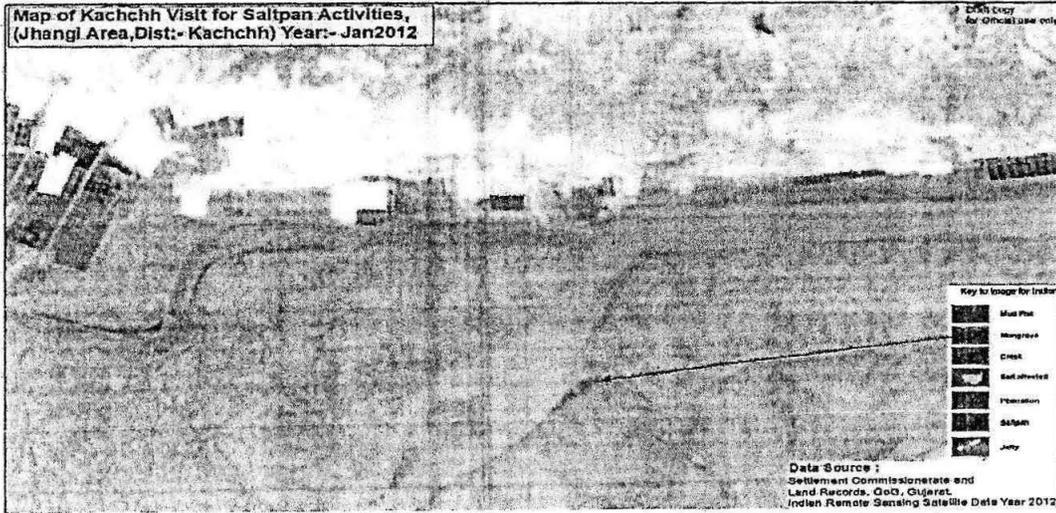
CREATION OF BUND FOR SALT PRODUCTION PROCESS IN MANGROVE AREA

NANI CHIRAI & MOTI CHIRAI AREA - SATELLITE IMAGERY SHOWING PRE (2016) & POST (2020) CONDITIONS DUE TO BUND FORMATION IN THE AREA FOR SALT PRODUCTION



Ganesh
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Comparative Satellite Imageries showing Pre(Jan-2012) and Post (Jan-2020) Bund creation at Jangi Site



Same for
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6.0 Findings of the Committee:

Followings are the findings of the Committee:

- Representative of Deendayal Port Trust (DPT) informed that the said area near by Nani Chirai & Moti Chirai villages contains of total five plots admeasuring an area of 3500 acres, is leased out for salt production activity to M/S. Shree Jyoti Salt Industries and M/S Shri Ram Salt Supply
- It was observed that obstructions are created along the creeks by way of constructing earthen bunds/roads which is in due course of time, affects the survival of mangroves
- Total Mangrove area is **159.26 Hectares** as per the satellite imagery of year 2016 before allocation by DPT for salt pan work
- The same area satellite imagery of year 2020 shows creation of bunds all around and reduction in mangrove area to **127.34 Hectares**
- The total length of the bunds is 4240 Rmt for Nani Chirai – Moti Chirai area.
- Based on the study of the satellite imageries, the approximate destruction of the mangrove in Jangi area is 32 Ha and the total length of the bund is about 5271 Rmt.
- Along the way of the site visit, it was found that Mangroves are withered and dried due to bund construction due to the salt pans activities
- No construction activities noticed which affects the minor creek system within area
- It was found that long earthen bund has been constructed near *Khershah Pir* Mosque and the same has been impacted over the Mangroves growth in the particular area. It is estimated that total of 85 Ha. Mangroves area is impacted. It was also confirmed that the area belongs to the DPT.
- The earthen bunds are created in CRZ -1A area
- Study of Satellite imageries shows that destruction of Mangroves and constructions of earthen bunds are currently existed in Jangi disputed area
- The area at Jangi is disputed with respect to ownership between DPT & Revenue Department; Hence, actual ownership is not able to confirmed by the Committee

Ganapati
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7.0 CONCLUSION

- 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* is belonging 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 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

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8.0 RECOMMENDATIONS

In view of the NGT order, the committee recommendations are as follow.

1. It is recommended that three times of total mangrove destruction as reported above should be carried out by DPT.
2. It is recommended that DPT should immediately remove the bund at Mota Chirai and Nani Chirai to ensure the free flow of water.
3. GCZMA may direct DPT and Revenue department to identify the real culprit and recover the cost of Mangrove destruction and bund removal.
4. GCZMA may direct Revenue Department and DPT jointly take the actions for removal of bunds at Jhangi site immediately for ensuring free flow of water.
5. GCZMA may also issue suitable directions to DPT and Revenue Department as well as to the Forest Department to initiate immediate actions for removal of bunds at all the disputed sites

Ganesh
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DEENDAYAL PORT TRUST

(formerly Kandla Port Trust)

ISO 9001-2008 & 14001:2004 Certified

email : dptlandsection@gmail.com

Mobile.No. : +91 9016609999

Fax No. :91 2836 232040

Website: www.kandlaport.gov.in

Land Section, (Estate Division),

Room No. 14 & 15

Administrative Office Building,

Post Box No. 50,

Gandhidham (Kutch)-370 201.

No. LW/PL/3296-II/1230

Dated: 27/05/2020

To,
The Police Inspector,
Police Station,
Bhachau,
Kutch-Gujarat.

30/5

Sub : Unauthorized occupation, including violation of CRZ / Environmental norms, etc. on DPT land located at Vondh - Bhachau, amidst COVID-19 Pandemic and Lockdown.

Sir,

With reference to above, I am directed to inform you that some miscreants have entered the vacant DPT land located near Gulabsha Pir / Betiya Peer Dargah and forming Earthen Bunds for creating of Salt Pans, near Village Vondh & Bhachau.

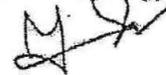
In this context, an Inspection Report dated 26/05/2020 of this office is enclosed herewith, which is self-explanatory in the subject matter.

It is requested to investigate the matter and kindly initiate necessary action against the Trespassers, as per the rules/section/clauses of IPC, on priority basis.

An early action will be highly solicited in this sensitive matter.

Thanking you,

Yours faithfully,



Executive Engineer (Kandla Land)
Deendayal Port Trust

Rnd
27/5/20
de

Encl: as above.

Copy to :-

- 1) The Supdt. of Police, East-Kachchh, Gandhidham.
- 2) The Dy. Supdt. of Police, East-Kachchh, Bhachau.
- 3) The Dy. Collector & SDM, Bhachau.
- 4) The Mamlatdar, Bhachau.

Copy to

- | | |
|-------------------------|--|
| 1) Sr. P.S to Chairman | - For kind information of the Chairman, DPT. |
| 2) P.S. to Dy. Chairman | - For kind information of the Dy. Chairman, DPT. |
| 3) Chief Engineer | - For kind information please. |

Gandhi
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DPT COMMENTS IN RESPONSE TO:

SUB: THE DRAFT JOINT INSPECTION REPORT ON NANI CHIRAI, MOTI CHIRAI AND JANGI AREAS, TALUKA: BHACHAU, DIST: KUTCH (IN COMPLIANCE OF ORDER OF HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI IN THE MATTER OF KACHCHH CAMEL BREEDERS ASSOCIATION V/S UNION OF INDIA & OTHERS [O.A. NO. 111/2018])

Ref: email dated 28/07/2020

R/Sir,

With reference to your above referred email dated 28/07/2020, we have gone through the draft Report and based on your recommendations, DPT has following views:

In context of the subject matter and the draft report forwarded to us, we hereby request you to kindly once again consider our following submissions, invariably read in line with our representation dated 13/12/2019 (**Copy attached herewith**):

a) With regard to "Findings of the Committee";

In this regard, it is once again reiterated that the said plots were allotted on 30 year lease basis by the DPT, through legitimate and transparent tendering process, for the purpose of Salt manufacturing, which is a permitted activity as per the CRZ Notifications. Also, the relevant CRZ/Env. conditions, binding the allottee to fulfill its statutory obligations, were also incorporated. DPT has already allotted around 16000 Acres of such land for same purpose since more than 40 years. Also, this area is basically a mud flat region and as per the Report submitted by M/s. GUIDE (attached with representation dated 13/12/2019), who is one of the most renowned organization working in the research work and field of ecology, it has yet not been ascertained whether these mud flats are biological active or not and hence this area cannot be considered as CRZ-1/A.

In view of above, it is requested to kindly delete this line from the draft Committee findings, mentioning this region as CRZ-1/A.

b) With regard to "CONCLUSIONS";

In this regard, it is requested to kindly consider our REPRESENTATION dated 13/12/2019 (**enclosed**), wherein, it is submitted that the DPT being a limb of the state, cannot be a part of the violations of the statutory environments and CRZ norms. Even the Hon'ble NGT, vide Para 20 of its Final Order dated 11/09/2019, has held that the destruction of mangroves and blockage of creeks has occurred basically due to the encroachment of vacant DPT / GoG revenue land by the unknown miscreants who took advantage of the situation, which further could not be controlled due to the absence of clear demarcation of the DPT and GoG revenue land. The process of land demarcation by the joint survey of the DPT and DILR officials is under progress and shall conclude shortly. As soon as the land demarcation process is concluded, both the DPT and GoG shall make efforts, in their respective lands, to trace the miscreants who have violated norms, as per the recommendations of the NGT Committee. Also, DPT has already taken prompt actions of opening of Bunds and removing the miscreants from the sites as & when reported and same shall be abided in line with laid down norms as & when required.

Samir
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Hence, it is evident that being the owner of the land, DPT has fulfilled all its statutory obligations, under its control, invariably. Hence, it is not appropriate to conclude that DPT is preliminary responsible for above stated destructions and request the Hon'ble NGT Committee to kindly consider the views of the DPT and omit that finding from the draft report. It is reiterated that the whole problem has arisen due to lack of demarcation of lands which was pleaded before the Hon'ble NGT and also accepted by the Hon'ble NGT. If at all anyone is responsible, it is miscreants who took advantage of the situation.

c) With regard to "RECOMMENDATIONS";

In this regard, it is requested to kindly consider our REPRESENTAION dated 13/12/2019, read in line with the order passed by the Hon'ble NGT dated 11/09/2019, Para 14 & Para 20 of which, are reproduced herewith for kind perusal:

"14. It appears that both DPT as well as State of Government had allotted lands to the salt manufacturers as there was no clear demarcation of boundaries between the land owned by the DPT and the state government which has resulted in destruction of mangroves in the area."

"20. In view of the submissions made above, it is amply clear that there is no demarcation which are existing on the ground between the land belonging to the DPT and the revenue land with the result there has been several instances of encroachments in the revenue land as well as land belonging to the DPT and the people have taken advantage of the situation that was prevailing on the ground and the salt pans have been created by constructing bunds across creeks which has caused death of mangroves."

In view of above, it is emphatically submitted that the DPT cannot be held responsible just because of it being the owner of the land, especially in a scenario, wherein, it has fulfilled all its statutory obligations from time to time as a responsible and renowned organization and No.1 Major Port of the Nation. The Hon'ble NGT also held that the miscreants have been responsible for the destruction and the final directions in para 22 also directed that such persons be made responsible to pay for the cost of restoration of mangroves.

However, as a part of Social and Environmental responsibility, it is proposed that both DPT and GoG may carry out the mangrove plantation, to the extent of actual destruction instead of three times thereof, based on the area under the jurisdiction of the DPT / GoG, after the demarcation of the land. Also, it is requested to kindly make appropriate changes in the draft report at Para 8.1 wherein both DPT and GoG are required to make mangrove plantation based on the land under their respective jurisdiction, instead of only DPT.

In view of above, it is requested to kindly consider our views and incorporate the same in the draft Report and may kindly forward us the modified draft report please.

This issues with the approval of the competent authority, DPT.

Regards

Signature
TRUE COPY

*M. J. ...
6.8.2021*
Executive Engineer (KL)
Deendaya^l Port Trust



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

ENV-10-2020-NGT-4-T
GOVERNMENT OF GUJARAT
Forests & Environment Department
Block no. 14, 8th floor
Sachivalaya, Gandhinagar - 382 010
Gujarat, INDIA
Tel: (079) 23251062
Fax: (079) 23252156
Email: direnv@gujarat.gov.in

66

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), CRZ-I(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

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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 - Kachehh 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.

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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 through Forests Department and deposit the amount to the Forest Department as per the committee report.
3. 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.

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.

de

(S. M. Saiyad)

Director (Environment) and
Member Secretary, GCZMA

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:

Dr. Jaipal Singh, IFS
APCCF (Land),
Aranya Bhavan, Sector-10A, Gandhinagar--- with a kind request to implement
Hon'ble NGT order with immediate effect.

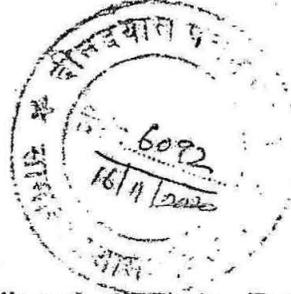
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Sanjay
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25 ANNEXURE "R-6"

No. B/JMN/T.9643-64/2020-21.

Office of the Deputy Conservator of Forests,
Kachchh East forest Division,
Bhuj- Kutch. Dt.12/11/2020



Dy. ch
CEV

To.
The Chairman,
M/s Decndayal Port Trust,
P.O.Box..No.50, Admin Office Building,
Tagor Road, Gandhidham,
Dist Kutch.

Sub: - Hon'ble National Green Tribunal Order in E.A. no. 12/2020
O.A.no.111/2018

Ref. : (1) Director (Environment) & Additional Secretary, Forest & Environment
Department, Government of Gujarat, Gandhinagar letter no.
ENV-10-2020-NGT-4-T, dated 09/10/2020. And (2) ENV-10-2020-NGT-
4-T, dated 05/11/2020.
(3) Joint Committee Site Inspection Report dated 10-11/12/2019.

Respected Sir,

sh

With reference to above subject and order of Hon. National Green Tribunal, New Delhi, dated 16/09/2020 in E.A. No. 12/2020 in O.A. No.111/2018 - Kachchh Camel Breeders Association VS Union of India & ors, on 16/09/2020, it is directed by Hon. NGT that let further steps be taken for enforcement of the order of the Tribunal dated 11/09/2019. The amount determined to be recovered expeditiously and restoration work be executed which may be overseen by a joint committee comprising Forest Department and GCZMA.

According to site inspection by the committee on Dt.10-11/12/2019, whose report has been approved by the GCZMA on 05/09/2020 as observed by Hon. NGT, it is found that mangroves have been destructed in approximate 148.96 ha. area of Nani Chirai-Moti Chirai, Jungi and Kherasha pir of Bhachau taluka. With respect to the report cited in Ref. no. (3) above, the committee recommended that mangrove restoration work has to be carried out three times the total area of mangrove destruction reported which is approximate 447 ha. (148.96 X 3 = 446.88). The committee concluded that per Ha. cost of mangroves plantation is Rs.45000 considering prevailing plantation models of GEC and Forest Department. Thus, total amount of Rs.2,01,15,000/- (Two crore one lacs fifteen thousand rupees only) has to be recovered for mangrove plantation in 447 ha. of area.

In addition, for removing the soil bunds to allow tidal water, the rates suggested by the committee is Rs.2000/- per running meter for destruction of soil bunds. To remove soil bund in 148 ha area, approximate 8000 running meter (which may vary) bund has to be removed which

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amounts to Rs.1.60,00,000/- (One crore sixty lakh rupees only). Thus, it is requested to deposit total amount of Rs.3,61,15,000/- (Three Crore sixty one lakh fifteen thousand only) for bund destruction and mangroves plantation in following bank account (As per Demand note attached herewith) to expedite mangroves restoration work and comply with Hon.NGT order dated 16/09/2020.

Attachment :- As above

Yours, Sincerely



Deputy Conservator of Forests,
Kachchh East forest Division,
Bhuj- Kutch.

Copy respectfully submitted to : Chief Conservator of Forests, Kachchh Circle, Bhuj and
Member/Convener of the Committee.

Samdar
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DEENDAYAL PORT TRUST
(Erstwhile: KANDLA PORT TRUST)

ISO 14001:2015 &
 ISO 9001:2008 PORT

Administrative Office Building
 Post Box NO. 50
GANDHIDHAM (Kutch).
 Gujarat: 370 201.
 Fax: (02836) 235982
 Ph.: (02836) 233001, 234601

www.deendayalport.gov.in

No. LW/ PL/3361-IV/32

Date: 13 -11-2020

Shri S.M. Saiyad, IFS,
Director (Environment) & Member Secretary, GCZMA,
Government of Gujarat,
Forest & Environment Department,
Block No.14, 8th Floor,
New Sachivalaya,
Gandhinagar-382 010.
Gujarat State.

Email: direnv@gujarat.gov.in

Sub: Directions u/s 5 of the Environment (Protection) Act, 1986.

Ref.: ENV-10-2020-NGT-4-T dated 05-11-2020.

Sir,

Please refer to the above cited reference for the subject matter, wherein directions u/s 5 of the Environment (Protection) Act, 1986 have been issued to the Deendayal Port Trust, based on the order passed by the Hon'ble NGT dated 16/9/2020 in the EA No. 12/2020 in OA No. 111/2018 - Kachchh Camel Breeders Association Vs Union of India & Ors.

02. At the outset, the Deendayal Port Trust would like to emphasize once again on the fact that DPT has never been engaged in any activity which disrupts the ecologically sensitive areas. In fact, as a responsible Government body, all efforts are taken at DPT for strict compliances of the all the statutory rules, regulations and laws.

03. It is briefly submitted once again that the alleged destruction of mangroves or blockage of creeks as complained by the Kachchh Camel Breeders Association is not done by the DPT. It is further submitted that Kandla Port water front land from village Jangi to village Veera extends in a length of about 110 kms.

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04. Further, it may be noted that in this particular region, a peripheral boundary length of about 110 kms is disputed as to which parcel of land belongs to the DPT or the Govt. of Gujarat (revenue land). As such, till date, there have been no clearly demarcated boundaries of lands belonging to the DPT and those belonging to the State Government.

As a result, there exist many cases wherein the State Government has allotted lands to the salt manufacturers, which even extends to the lands belonging to the D.P.T. Further, due to lack of demarcation, there have been many cases of illegal encroachments over D.P.T. lands by miscreants. The detailed submission made by the DPT vide dated 24/6/2019 in response to the Directions issued dated 12/6/2019 may kindly be perused (Copy enclosed).

05. The point-wise submission from Deendayal Port Trust side, with regard to the directions issued dated 5/11/2020, is as under:-

5.1. To stop all activities immediately in the said area:

With regard to the Plots allotted by the DPT (5 plots – area 3500 acres) between village Bhachau and Jungi for production of salt, during the hearing in the Hon'ble Nation Green Tribunal on 17/3/2018 in the case filed by the Kutch Camel Breeders Association (O.A. 111/2018), it was categorically submitted by DPT that construction and other activity leading to destruction of mangroves is not being done. Hence, based on the said categorical statement, the Hon'ble NGT had directed that "Status quo shall be maintained till further orders". Since then, it is hereby once again confirmed that, there is no activity going on in the said area allotted by the DPT.

5.2. To restore the free flow of water in the creeks/creek lets by removing all the earthen bunds/roads through Forests department and deposit the amount to the Forest Department as per the committee report

5.3. 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:

Subsequent to the directions issued dated 5/11/2020, DPT has received final report of the committee through email dated 11/11/2020 of Director (Environment), Forest & Environment Department, GoG.

It is submitted that, the Hon'ble NGT has passed the orders dated 11/9/2019 and 16/9/2020 which DPT is bound to comply. DPT is already taken action to comply with the same **with regard to the area under jurisdiction of DPT.**

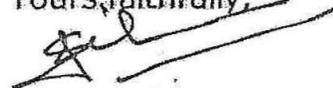
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Samel
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In light of the above background, it is requested that, the submission from the Deendayal Port Trust as mentioned above may kindly be considered in compliance of the directions issued to the DPT dated 5/11/2020.

This has the approval of Chairman, Deendayal Port Trust.

Yours faithfully,


Chief Engineer
Deendayal Port Trust

Copy for kind information to :

Dr. Jaipal Singh, IFS
APCCF (Land),
Aranya Bhavan, Sector 10 A,
Gandhinagar.

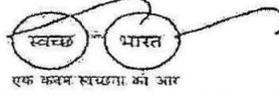
Gandhan
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E-MAIL :- se.kl.kpt@gmail.com
MOBILE NO. :- +91 98252 27038
FAX NO. :- +91 2836 232040
WEB SITE :- www.kandlaport.gov.in



LAND SECTION
ESTATE DIVISION
ROOM NO. 14 & 15,
A.O.BUILDING,
POST BOX NO. 50
GANDHIDHAM (KUTCH)

74



No.: LW/PL/3361-V/

DATED: 17-11-2020

OFFICE - ORDER

The Chairman, Deendayal Port Trust has been pleased to accord his approval to the following:-

Amount of Rs. 2, 42, 64,200.00 to be deposited to the Forest Department as per the directions issued dated 05/11/2020 for mangrove plantation (3 times) in an area of 350.76 Ha w.r.t. area under jurisdiction of DPT (Nani & Moti Chirai and near Khershah Pir Mosque) and for removal of bund in a length of 4240 Rmt., at Nani & Moti Chirai area.

Authority: Concurred in by Finance & approved by Chairman below note no. N/S in the file No: LW/PL/3361-IV/ Dated: 13.11.2020.

Note:- 1) The expenditure shall be chargeable to the scheme Environmental services & Clearance thereof" (Allocation:841/587/9744 WC - 5-13001).

2) Bank Account detail received from the Forest Department is attached.


18/11/2020
Executive Engineer (Kandla Land)
Deendayal Port Trust

Copy to : A. O. (Pay Section), Gandhidham


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Credit Note/Hand Receipt

75

(Centra P.W.D. code paragraphs 212,218 and 234)

Date

(To be used as a simple form a voucher for all Miscellaneous payments and advances for which none of the special forms 24,25,26 and 27 are suitable)

Division : 841 CHIEF ENGINEER GENERAL(C.E(G))

Sub Division :

CBI No :

CBI Date :

Pay by Cheque Rupees : 24,264,200.00

(Two Crore Fourty Two Lac Sixty Four Thousand Two Hundred Onh)

Paid by me : DY.CONSERVATOR OF FOREST

Received from the sub Division Officer in charge of the sum of Rs. 24,264,200.00

(Rs . Two Crore Fourty Two Lac Sixty Four Thousand Two Hundred Onh)

Name of the Work : or purpose for which payment is made :

Amount may be paid to Shri/Smt/M/sDY.CONSERVATOR OF FOREST

towards For mangrove plantation (3 times) in an area of 350.76

of ()

VCN/ VOYAGE NO :

Vessel Name :

(Amount in Vernacular)

18/11/2020

Dated the Witness

M. J. S.
18/11/2020
EXECUTIVE ENGINEER (KL)
DRAWING OFFICER
DEENDAYAL PORT TRUST

o/c
18/11/20



Signature of Payee

Allocation : 841 /9744

Kandla Port GST No. 24AAALK0046N126

No

Credit Note/Handreceipt No 202010010173 Date 18/11/2020 Voucher No. 202019796088

Agent GST No. State Code DY.CONSERVATOR OF FOREST

Central Goods & Service Tax 1850659

State Goods & Service Tax 1850659

Interstate Goods & Service Tax 0

Principal Amount ***** Kandla Port GST No. 24AAALK0046N126

The Officer Authorising Payment should intial and date pay order after scoring out the word cheque & cash as the case may be.

The Person actually making the payment should intial and date payment certificate (2)

In the case of works the accounts of which are kept by sub-heads the amount chargeable to each sub-heads should be specified by the disbursing Officer.

Payment should be attested by some known person when the payee's acknowledgement is given by a mark seal or thumb impression.

Authenticity - LW/PL/3361-V/1443 dated 18/11/2020

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Credit Note/Hand Receipt

76

(Centra P.W.D. code paragraphs 212,218 and 234)

Date

(To be used as a simple form a voucher for all Miscellaneous payments and advances for which none of the special forms 24,25,26 and 27 are suitable)

Division : 841 CHIEF ENGINEER GENERAL(C.E(G))

Sub Division :

CBI No :

CBI Date :

Pay by Cheque Rupees : 24,264,200.00

(Two Crore Forty Two Lac Sixty Four Thousand Two Hundred Only)

Paid by me : DY.CONSERVATOR OF FOREST

Received from the sub Division Officer in charge
of the sum of Rs. 24,264,200.00EXECUTIVE ENGINEER (KL)
DRAWING OFFICER
DEENDAYAL PORT TRUST

(Rs . Two Crore Forty Two Lac Sixty Four Thousand Two Hundred Only)

Name of the Work : or purpose for which payment is made :

Amount may be paid to Shri/Smt/M/sDY.CONSERVATOR OF FOREST

towards For mangrove plantation (3 times) in an area of 350.76
of ()

VCN/ VOYAGE NO :

Vessel Name :

(Amount in Vernacular)

18/11/2020

Dated the
Witness

Signature of Payee

Allocation : 841 / 9744

Kandla Port GST No. 24AAALK0046N1Z6

Credit Note/Handreceipt No 202010010173 Date 18/11/2020 Voucher No. 202019796088

Agent GST No.

State Code

DY.CONSERVATOR OF FOREST

Central Goods & Service Tax 1850659

State Goods & Service Tax 1850659

Interstate Goods & Service Tax 0

Principal Amount

Kandla Port GST No. 24AAALK0046N1Z6

The Officer Authorising Payment should intial and date pay order after scoring out the word cheque (cash as the case may be.

The Person actually making the payment should intial and date payment certificate (2)

In the case of works the accounts of which are kept by sub-heads the amount chargeable to each sub-heads should be specified by the disbursing Officer.

Payment should be attested by some known person when the payee's acknowledgement is given by mark seal or thumb impression.

Authority:-

LW/P2/3361-V/1443 dated 18/11/2020

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DEENDAYAL PORT TRUST

ANNEXURE-R-10



Administrative Office Building
Post Box NO. 50
GANDHIDHAM (Kutch). 77
Gujarat: 370 201.
Fax: (02836) 220050
Ph.: (02836) 233192.

www.deendayalport.gov.in

No. LW/PL/3361-IV/84

Dated: /11/2020

01/12

To,
The Deputy Conservator of Forests,
Office of the Deputy Conservator of Forests,
Kachchh East Forest Division,
Bhuj-Kachchh- 370001.

Sub: Hon'ble National Green Tribunal Order in E.A. no. 12/2020 in OA No. 111/2018 - **Submission of Details about amount deposited by DPT to Forest Department req.**

- Ref.:**
- 1) Directions issued by the Director (Environment) & Member Secretary, GCZMA vide no. ENV-10-2020-NGT-4-T dated 5/11/2020.
 - 2) DPT submission vide letter No.LW/PL/3361-IV/72 dated 16/11/2020 w.r.t. directions issued dated 5/11/2020.
 - 3) Deputy Conservator of Forests, Kachchh East Forest Division, Bhuj-Kachchh letter no. B/JMN/T.9/26463-64/2020-21 dated 12/11/2020.

Sir,

Kindly refer to the above cited references for the subject mentioned above.

In this regard, it is to inform that, with reference to the directions issued by the Director (Environment) & Member Secretary, GCZMA dated 05/11/2020 & subsequent letter no. B/JMN/T.9/26463-64/2020-21 dated 12/11/2020 of Dy. Conservator of Forests, Kachchh East Forest Division, Bhuj as mentioned in above reference at Sr.No.3, DPT has already deposited an amount of Rs. 2,42,64,200.00 **(Transaction details attached - Annexure A)** in the Bank Account No. 920010034396773 (Axis Bank) for bund removal and mangrove plantation w.r.t. area under jurisdiction of DPT **(Calculation Sheet attached - Annexure B).**

However, the committee in report dated 10-11/12/2019 has concluded that, *as far as the Jangl 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.*

.....cont,...

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78

Therefore, for this particular parcel of land/area (Jungli area), after demarcation of land & ownership of land thereof (DPT or Revenue Department), further steps would be taken accordingly for restoration of mangroves & removal of bund.

This is for kind information & taking further necessary action, please.

Yours faithfully,



**Executive Engineer (KL)
Deendayal Port Trust**

Copy for kind information also to :

1) Shri S.M. Saiyad, IFS,
Director (Environment) & Member Secretary, GCZMA,
Government of Gujarat,
Forest & Environment Department,
Block No.14, 8th Floor, New Sachivalaya,
Gandhinagar-382 010.

2) Chief Conservator of Forests, Kachchh,
Chief Conservator of Forests, Kutch Circle,
B/H. DIC Office, near Mom's school,
Bhuj-Kutch (pin 370 001)
Email ID: ccfkachchh@gmail.com

Member Convener of the committee
constituted vide order no.
ENV-10-2020-NGT-4-T dt.9/10/2020.

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DEENDAYAL PORT TRUST
KANDLA LAND SECTION

Trans No	Sequence No	Sender ID	Sender Account No	Beneficiary IFSC	Beneficiary Account No	Amount	Tran Id	Trans Date
IBKL201121205106	54849253	IBKLONEFT01	0412104000199896	UTIB0000817	920010034396773	24264200	S46847043	11/21/2020

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CALCULATION SHEET

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80

COMMITTEE REPORT FINDINGS:

(A) Mangrove Area destruction mentioned in report :

Nani and Moti Chirai	: 31.92 Ha
Kher Shah Pir Mosque area	: 85 Ha.
Jungi Area	: 32 Ha.
Total	: 148.92 Ha .

(B) Bund at Nani & Moti Chirai : 4240 Rmt. And Bund At Jungi area 5271 Rmt.

• Cost Calculation With Regard to Area Pertains to DPT :

(Mangrove area : 31.92 + 85 = 116.92 Ha & Bund 4240 Rmt)

Three times mangrove plantation & Bund removal cost :

Mangrove Plantation three times : 116.92 Ha . X 3 times = 350.76 Ha . X Rs. 45000/Ha = Rs. 1,57,84,200.00

Bund Removal ; 4240 rmt X Rs. 2000/Rmt = Rs. 84,80,400.00

Total = Rs. 2,42,64,200/-

• For Disputed Area (GoG/DPT) :

Mangrove Plantation three times 32 Ha. X 3 times = 96 Ha . X Rs. 45000/Ha = Rs. 43,20,000.00

Bund Removal = 5271 rmt X Rs. 2000/Rmt = Rs. 1,05,42,000.00

Total = Rs. 1,48,62,000.00

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81
ANNEXURE-R-II

Daily work

Place : Office of Circle Forest Officer

Bhachau Normal Range

Date 03.12.2020

We the undersigned employees/officials today according to Mr. B. J. Jhala, Circle Forest Officer, Bhachau Normal Range, have done inspection in the vicinity of Marine Creek area of Deendayal Port Trust belonging to Bhachau Range, as per the order of the Hon'ble NGT dated 16.09.2020, where mangrove trees have uprooted due to embankment made for purpose of salt manufacture near Nanichirai-Motichirai and Khersapeer. Mr. B. J. Jhala, Circle Forest Officer, Bhachau Normal Range, Shri A. H. Solanki, Forestor, Bhachau, Mr. A. P. Trivedi Executive Engineer (Land Section, DPT), Shri R. M. Israni Junior Engineer (Civil Grade-1) and Mr. Sarthak S. Chowdary Junior Engineer done inspection of the site to carry out restoration work also for getting GPS co-ordinates and done proceeding as under :-

1. An earth embankment has been constructed for the purpose of salt production in the marine land owned by DPT near Hadkia Creek in the South-Eastern Part of Khersapir, through which work is done to stop sea water. On its measurement embankment is approx 4014 rmt, where grove restoration proceeding can be done in approx 83.08 hector, whose GPS coordinates are as under :-

(1) N23⁰9'30.11" (2) N23⁰9'34.10" (3) N23⁰10'3.43" (4) N23⁰9'56.33"
E70⁰22'18.62" E70⁰23'0.75" E70⁰22'16.40" E70⁰22'9.54"

2. An earth embankment has been constructed for the purpose of salt production in the marine land owned by DPT in the West Direction Part of Moti Chirai-Nani Chirai, due to which mangrove plants have perished. On its measurement embankment is approx 4000 rmt, where grove restoration proceeding can be done in approx 80 hector, whose GPS coordinates are as under :-

(1) N23⁰10'38.23" (2) N23⁰10'34.16" (3) N23⁰10'14.75" (4) N23⁰10'33.90"
E70⁰21'3.28" E70⁰21'3.63" E70⁰20'21.73" E70⁰19'54.24"

61
17.12.20

NGT File

Sd/- Illegible
18.12 PS/Shailesh
18.12.2020

Gurpreet
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Moreover in this area, verification of quantity of seas water coming by tide of sea in this area cannot be done today at time of visit. In this regard specific verification can be done by Spring Tide observation on Full Moon/No Moon day.

(3) GPS of land approx 116 hector in marine land owned by DPT in the West Direction of Khersapeer Part of Moti Chirai-Nani Chirai is as under, in which on measurement embankment is approx 5084 rmt, where grove restoration proceeding can be done :-

(1) N23⁰10'13.81" (2) N23⁰9'38.50" (3) N23⁰9'58.80" (4) N23⁰10'17.25"
E70⁰20'20.81" E70⁰19'46.9" E70⁰19'16.33" E70⁰20'6.39"

Moreover in this area, verification of quantity of seas water coming by tide of sea in this area cannot be done today at time of visit. In this regard specific verification can be done by Spring Tide observation on Full Moon/No Moon day.

Above daily work is done as per place condition seen, measured/inspected by us, for which we have signed below

Sr. No.	Name	Designation	Signature
1	Shri B. J. Jhala	Circle Forest Officer, Bhachau	
2	Shri A. H. Solanki	Forester, Bhachau	
3	Shri A. P. Trivedi	Exe. Eng. (Land Section, DPA)	
4	Shri R. M. Issrani	Jr. Eng. (Civil Grade-1, Land Section DPT)	
5	Shri Sarthak S. Choudhary	Jr. Eng. (Land Section, DPT)	

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273

ANNEXURE - R-12

Monogram

Monogram

OFFICE OF CIRCLE FOREST OFFICER
Bhachau Normal Range
Opp. Custom Check Post, Near Blind School, Bhachau-Kutch

83

No. A/PVD/F.No./419-23/Year2020-21 Bhachau Dt. 08.12.2020

To
Chief Engineer
Land Section
Deendayal Port Trust
Gandhidham-Kutch

Sub : For implementation of order dt. 16.09.2020 of NGT
Regarding Mangrove reforestation proceeding in Nani Chirai-Moti Chirai
Area

Regarding above subject state that, in Execution Application No. 12/2020 In Original Application 111/2018 as per order dt. 16.09.2020 of NGT in land part near sea creek in Deendayal Port Trust area Mangrove plantation has taken place due to embankment made for salt production. To break embankment and take into hand proceeding for restoration of mangrove our circle forest officer and Forestor Bhachau place inspection is done on date 03.12.2020 by Land Section Engineers of your office, in which areas were decided for breaking embankment near marine creek. The daily work is enclosed. So in said area proceeding of breaking embankment is to be immediately taken into hand for mangrove restoration, also said area comes under Deendayal Port Authority, it is requested you to provide proper police arrangement so that law and order is maintained. .

Sd/- Illegible
B. J. Jhala
Range Forest Officer
Bhachau

Enclosed As above

Copy despatched To – Dy. Forest Conservator, Kutch East Forest
Department, Bhuj-Kutch for information

Copy despatched To – regional Officer, Bhachau-Kutch for information

Copy despatched To – Mamlatdar, Bhachau-Kutch for information

Copy despatched To – Police Inspector, Bhachau-Kutch for information also
requested to give co-operation so that law and order is maintained

Saunder
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ANNEXURE "K-13"

84

No. B/JMN/T.9/34396-97/2020-21.

Office of the Deputy Conservator of Forests,
Kachchh East forest Division,
Bhuj- Kutch. Dt. 31/12/2020

R.A.D.

To,

Executive Engineer (KL),
M/s Deendayal Port Trust,
P.O.Box..No.50, Admin Office Building,
Tagor Road, Gandhidham,
Dist.Kutch.

Sub: - Hon'ble National Green Tribunal Order in E.A. no. 12/2020 O.A. no. 111/2018 reg.

Ref : (1) This office letter no. B/JMN/T.9/26463-64/2020-21, Dt. 12/11/2020.

(2) Letter from your office no. L.W/PL/3361-IV/84, Dt.01/12/2020.

(3) Letter of RFO Bhachau no. A/PVY/Fa.No./419-23, Dt. 08/12/2020.

Sir,

With reference to above cited subject and letter at ref. no. (1), a demand note has been issued to the DPT (Deendayal Port Trust) on 12/11/2020 in which "Removing of soil bund" (in rmt.) was calculated for 8000 rmt for 148 ha. area. It was also mentioned in that letter that the total length of the soil bund to be destructed is approximate and it may vary after ground truthing. In response to the demand note, your office has deposited an amount of Rs.2,42,64,200/- for bund removal and mangrove plantation w.r.t. area under jurisdiction of DPT. As per the Annexure B – Calculation sheet of that letter total length of the bund was calculated as 4240 rmt to be removed which excludes the area of Jungi of which the ownership is in dispute.

29
05/12/21

Please refer the letter of RFO Bhachau (ref.no.(3) attached herewith) to your office which states that RFO Bhachau, Forester Bhachau and engineers of Land section of DPT have visited the area on 03/12/2020 and done the Rojkam accordingly for the area of which the bund has to be removed under the jurisdiction of DPT. According to this ground truthing done with your engineers by RFO Bhachau, it can be concluded that the total length of the bund to be removed is 13098 rmt out of which amount has been deposited by DPT for 4240 rmt of length (ref. no.(2)). Thus, for the remaining 8858 rmt (13098 – 4240) of soil bund the amount is yet to be deposited.

S/S/Deendayal
05/12/21DA
Y. S.
6.1Ganpati
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(P.F.O.)

85

It is requested to deposit the remaining amount for bund destruction in the area under jurisdiction of DPT i.e. $8858 \times 2000 = 1,77,16,000/-$ (One Crore Seventy Seven Lakh Sixteen Thousands only) in following bank account (as per Demand note attached herewith).

Attachment :- As above

Yours Sincerely


Deputy Conservator of Forests,
Kachchh East forest Division,
Bhuj- Kutch.

Copy respectfully submitted to : Chief Conservator of Forests, Kachchh Circle, Bhuj
and Member/Convener of the Committee.

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276

ANNEXURE "R-14"

OFFICE OF COLLECTOR AND DISTRICT MAGISTRATE, KUTCH-BHUJ
LRD-6 Office, Revenue Branch, District Seva Sadan, Mandvi Road, Bhuj-
Kutch, PIN-370001

86

Email: collector-kut@gujarat.gov.in/Tel.02832-250020/Fax:02832-250430

No.LRD/6/Industry/Vashi/1464/2020

Date 12.01.2021

Very Important/Time Limit

To
D.I.L.R.
Kutch-Bhuj

Sub : Implementation of Hon'ble National Green Tribunal Order in
E.A.No.12/2020 in Original Application No. 111/2018

Kachchh Camel Breeders Association Versus Union of India & Others

Ref : Letter No. A/JMN/T.9/996-98/2020-21, dated 20.11.2020 of Dy. Forest
Conservator, Kutch East Forest Department, Bhuj-Kutch

A copy of the letter with reference to the Deputy Conservator of Forest, East Kutch Forest Division, Bhuj-Kutch on the above subject is enclosed herewith. According to the E. A. No. 12 to 2020 in Original Application No. 111/2018 filed by the Kutch Camel Breeders Association before Hon'ble National Green Tribunal for action/implementation of the order dated 16.09.2020, Director (Environment) and Member Secretary, GCZMA, Gandhinagar has issued a direction to DPT of take action under Sec. 5 of Environment (Protection) Act, 1986 and his office has also issued a demand note to DPT. As mentioned in Point No. 3 and 4 of letter dated 16.11.2020 the land having boundary extent of 110 km belongs to DPT or government (government land owned by revenue department), in this regard dispute is continue. Hence, DPT has not deposited the amount of disputed land. In order to determine the ownership of this disputed land and for the proceeding of Mangrove, your office is required to carry out survey and demarcation, it is requested you to implement the order of the Green Tribunal within the stipulated time frame.

Hence as per details stated in above referred letter it is requested to immediately take into hand necessary survey and demarcation process at cost of government under guidance of Dy. Forest Conservator, Kutch East Forest Department, Bhuj and Deendayal Port Authority and this proceeding is to be done with reference to the order of Hon'ble National Green Tribunal Order, so requested to give top priority and personal attention.

Sd/- Illegible
Pravina D. K.
Collector, Kutch

Encl. As above

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Copy To (For information and necessary proceeding)

87

1. Regional Officer, Bhachau-Kutch
2. Chief Forest Conservator, Kutch Forest Circle, Behind District Industrial Centre, Bhuj-Kutch
3. Dy. Forest Conservator, Kutch East Forest Department, Bhuj-Kutch
4. Mamlatdar, Bhachau-Kutch
5. Regional Officer, Kutch East, Gujarat Pollution Control Board, Room No. 215, 216, 217, Deendayal Port Administration Building, Sector 8-A, Gandhidham-Kutch
6. Chief Engineer, Deendayal Port Trust, Adinirative Office Building, P.Box No. 50, Gandhidham-Kutch

Copy Despatched

1. The Additional Principal Chief Conservator of Forest (Land), Aranya Bhavan, Sector 10-A, Gandhinagar-382010
2. The Director (Environment) & Additional Secretary, Forest & Environment Department, Block No. 14, 8th Floor, Sachivayala, Gandhinagar-382010

OIGS

From,
Office of the Collector
District Magistrate
Kutch-Bhuj-370001

Sampal
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ANNEXURE "R-15"

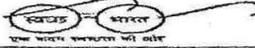
DEENDAYAL PORT TRUST

ISO 9001-2008 & 14001:2004 Certified

email : se.kl.kpt@gmail.com
 Mobile No. : +91 98252 27038
 Fax No. :91 2836 232040
 Website: www.kandlaport.gov.in



Land Section, (Estate Division),
 Room No. 14 & 15
 Administrative Office Building,
 Post.Box No. 50,
 Gandhidham (Kutch)-370 201.



No.: LW/PL/3361- V/20

DATED: 21/01/2021

To,
 The Deputy Conservator of Forests,
 Office of the Deputy Conservator of Forests,
 Kachchh East Forest Division,
 Bhuj-Kachchh-370001

Sub:- Hon'ble National Green Tribunal Order in E.A.no. 12/2020 in OA No. 111/2018 -
 Submission of Details about amount deposited by DPT to Forest Department reg.

Ref:- 1 DPT submission vide letter No. LW/PL/3361-IV/84 dated 01/12/2020
 w.r.t. directions issued dated 05/11/2020

2) Deputy Conservator of Forest, Kachchh East Forest Division, Bhuj-Kachchh letter no.
 B/JMN/T.9/34396-97/2020-21 dated 31/12/2020

Sir,

Please refer to the Rojkam dated 03.12.2020 wherein it is mentioned that due to tide in Sea the verification of Sea water could be not done, for which proper verification can be done during spring tide only.

Since, the Survey work of land area which is under dispute between DPT and Revenue Department is yet not finalized. It is inappropriate to state that the area of which bund is to be removed, is under the jurisdiction of DPT.

It is therefore requested to arrange a joint survey on a suitable date so as to confirm in whose jurisdiction the disputed land falls.

This is for your kind information & further course of action in the matter.

Yours faithfully,

[Signature]
 Executive Engineer (KL)
 Deendayal Port Trust

Copy for kind information also to :-

- 1) Shri S.M. Saiyad, IFS,
 Director (Environment) & Member Secretary, GCZMA, Government of Gujarat,
 Forest & Environment Department, Block No.14, 8th Floor, New Sachivalaya,
 Gandhinagar - 382 010.
- 2) Chief Conservator of Forests, Kachchh, Member Convener of the Committee
 Chief Conservator of Forests, Kutch Circle, constituted vide order no.
 B/H. DIC Office, near Mom's school, ENV-10-2020-NGT-4-T dt.9/10/2020
 Bhuj-Kutch (Pin 370 001)
 Email ID:ccfkachchh@gmail.com
- 3) Copy to Chief Engineer. *for kind information*

[Signature]
TRUE COPY

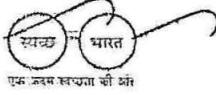
ANNEXURE R-16

DEENDAYAL PORT TRUST

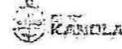
E-MAIL:- se.kl.kpt@gmail.com
 MOBILE NO. +91 98252 27038
 FAX: (02836) 232040.
 WEBSITE:
www.kandlaport.gov.in



Land Section, (Estate
 Division), Room No. 14 &
 15, Administrative Office
 Building, Post Box No. 50,
 Gandhidham-Kutch.
 Pin Code: 370 201.



SAGARMALA



No: LW/PL/3361-V/29

Date:- .02.2021

To,
 The D.L.I.R.,
 DILR Office
 Survey Bhavan,
 Mundra Road,
 Bhuj-Kachchh-37001

03

Ref:- Implementation of Hon'ble National Green Tribunal Order in E.A.
 No. 12/2020 in Original Application No. 111/2018
 Kachchh Camel Breeders Association Versus Union of India &
 Others

Ref:- JMN/6/Udhyog/Vashi/1464/2020 dated 12.01.2021

Sir,

It is to inform that this office has received a letter above referred dated 12.01.2021 wherein Collector, Bhuj (Kutch) has directed to D.L.I.R, Bhuj, to comply the NGT order dated 16.09.2020 and to carry out immediate survey and demarcation of disputed land area between G.O.G & Deendayal Port Trust i.e., Jungi area, after discussion with Dy.Conservator of Forest, Kutch(East) Forest Department and Deendayal Port Trust.

You are therefore requested to fix the date of survey & demarcation of disputed land area between Government of Gujarat and Deendayal Port Trust i.e., Jungi area & intimate the date to this office on top priority.

Yours faithfully,

[Signature] 1.2.21
 Executive Engineer (KL)
 Deendayal Port Trust

Copy for kind information also to :-

- 1) Shri S.M.Saiyad, IFS,
 Director (environment) & Member Secretary, GCZMA, Government of Gujarat,
 Forest & Environment Department, Block No.-14, 8th Floor, New Sachivalaya,
 Gandhinagar
- 2) Chief Conservator of Forests, Kachchh,
 Chief Conservator of Forests, Kutch Circle,
 B/H. DID Office, near Mom's School,
 Bhuj-Kutch (Pin 370 001)
- 3) The Collector of Kutch,
 Jhila Seva Sadan, Bhuj (Kutch)
- 4) Chief Engineer, DPT,

[Signature]
TRUE COPY

06
 01/2/2021

25. Discharge of E-tender-cum-E-auction for "allotment of 06 nos. of Plots of various sizes between Village Bhachau and Jungi, for production of Salt, on 30 years' lease on 'As is Where is basis" & refund of EMD, Security Deposit & Annual Lease Rental to the allottees of land of DPT in compliance with various orders passed by the Hon'ble NGT

25.1 The proposal was taken up for discussion and consideration. 90

25.2 Chief Engineer (I/c) explained the proposal and stated that the Board approved the proposal to allot 06 Nos. of salt land on 30 years' lease period on the highest rate received in e-auction, in terms of the annual lease rental, and as per the terms & conditions of tender to the successful bidders vide BR No. 144 dated 06/01/2017 for salt production. However, due to complaints made by the Camel Breeders' Association, the possession of the land could not be handed over and the Lease Deed was also not executed. They also filed O.A No. 111 of 2018 before the National Green Tribunal, alleging DPT for violation of CRZ norms by way of destruction of mangroves and blockage of natural creeks, due to allotment of subject plots for purpose of Salt production. The Hon'ble NGT has directed enforcement of its order dated 11/09/2019 and has clearly held that the destruction of mangroves was the act of miscreants, but since the miscreants could not be identified, the DPT being owner of the land, should take up the responsibility of restoration. Now, the above allottees have requested to refund the EMD & Security Deposit, Lease rental already paid along with interest @ 18%. He further added that the legal opinion has also been sought in this regard and hence, the proposal.

25.3 Shri Arvind Chaudhary enquired whether interest portion has been considered under the proposal, to which the FA&CAO stated that EMD & Security Deposit will not attract any interest and the question for interest arises only for Annual lease rentals paid by them. Shri Arvind Chaudhary, however, suggested that FA&CAO may discuss the matter regarding payment of interest with the parties and sort out departmentally, so that any dispute may not arise at a later stage.

25.4 After deliberations, the proposal was approved.

Resolution

21

Resolved to approve the following by considering the Legal Opinion received from the Advocate, Supreme Court of India, M/s. Parekh & Co., New Delhi, vide e-mail dated 20/01/2021 and as mentioned by the NGT in its order dated 11/09/2019 to cancel all such leases with immediate effect, which falls under CRZ category 1-A area:-

- (i) to discharge/terminate the e-tender-cum-e-auction for allotment of 06 Nos. of plots of various sizes between village Bhachau and Jungi, for production of Salt, on 30 years lease on "as is where is basis".

MINUTES OF THE BOARD MEETING DATED 23-04-2021

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- (ii) to refund the amount towards EMD, Security Deposit & Annual Lease Rental deposited by following allottees in respect of land allotment through e-tender-cum-e-auction of 06 Nos. of Plots :-

SR. NO.	NAME OF ALLOTTEE	PLOT NO.	AREA (IN ACRES)	AMOUNT DEPOSITED FOR		
				E.M.D.	SECURITY DEPOSIT	ADVANCE ANNUAL LEASE RENT
1	M/s. Gujarat Solar Salt	1	500	10,17,300/-
2	M/s. Shree Ram Salt Supply	2	1000	20,34,500/-	4,13,19,910/-	2,06,69,955/-
3	M/s. Shree Jyoti Salt Industries	3	500	10,17,300/-	2,46,45,920/-	1,23,22,960/-
4	M/s. Shree Jyoti Salt Industries	4	500	10,17,300/-	2,40,45,920/-	1,20,22,960/-
5	M/s. Shree Jyoti Salt Industries	5	1000	20,34,500/-	4,44,91,840/-	2,22,45,920/-
6	M/s. Shree Jyoti Salt Industries	6	500	10,17,300/-	2,48,45,920/-	1,24,22,960/-

26. Item for information of the Board

(I). Details of various MOUs signed by DPT for various Projects as part of Maritime India Summit 2021

26.I(i) The Board noted the position.

26.II(ii) Chairman explained that the Hon'ble Prime Minister of India has inaugurated the Maritime India Summit, MIS – 2021 on 02.03.2021, which was one of the biggest virtual summit and Exhibition from 2nd to 4th March, 2021, witnessed by about 1.7 lakh speculators from more than 100 nations. The inaugural event entailed speeches by Shri Mansukhbhai Mandaviyaji, Hon'ble Minister of Ports, Shipping & Waterways (I/c), Hon'ble Chief Minister of Gujarat, Shri Vijay Rupani and his Andhra Pradesh Counterpart, Shri Y.S. Jagmohan Reddy and other eminent personalities. He added that during MIS-2021, DPT has signed 43 MOUs amounting to Rs.81,152.42 crores with various Investors/Stakeholders. The details of such investments have been submitted as Table Paper for information of the Board.

MINUTES OF THE BOARD MEETING DATED 23-04-2021

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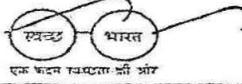
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ANNEXURE-R-18

DEENDAYAL PORT TRUST

E-MAIL :- dotlandsection@gmail.com
 MOBILE NO. :- +91 9426968980
 FAX NO. :- +91 2836 232040
 WEB SITE :- www.deendavalport.gov.in



LAND SECTION,
 ESTATE DIVISION
 ROOM NO. 14 & 15
 A.O.BUILDING,
 POST BOX NO. 50
 GANDHIDHAM (KUTCH)
 PIN CODE : 370 201



No.: LW/PL/3361-V/101

DATED: 05-2021

To,
 Deputy Conservator of Forests,
 Office of Deputy Conservator of Forests,
 Kachchh East Forest Division,
 Bhuj Kachchh-370001.

SUB.: Compliance work as per Hon'ble NGT order dated: 16/09/2020 in O.A. No. 111/2018.

- Ref:**
1. This office letter No. LW/PL/3361-VI/84 dated 1.12.2021
 2. Copy of Rojkam held on 3.12.2020
 3. Letter of R.F.O, Bhachau; dated: 27.01.2021
 4. Letter of KCB Association dated 10.02.2021

Sir,

With reference to (1) above, as per the direction issued by the director (Environment) members Secretary, GCZMA dated 5.11.2020 & subsequent letter of Dy. Conservator & forest, Bhuj, DPT has already deposited amount of Rs. 2,42,64,200 for (I) Removing of Soil Bund ; 4240 Rmt(2) Restoration of Mangrove Plantation; 350.76Ha (3 x116.92 Ha) w.r.t. area under jurisdiction of DPT.

Subsequently, as per the request of Range Forest Officer, Bhachau, a joint visit was held by the officials of DPT & Forest department ,GoG on 3.12.2020 wherein DPT officials had shown plot area where the allotments were done. Accordingly, the officials of Forest Dept, GoG had identified suitable three location for mangrove restoration and removal of Bund wherever required to ensure free flow of tidal water and accordingly, Rojkam has been carried out vide ref (2) above.

In this regards, the Range Forest Officer, Bhachau , vide letter dated: 7/01/2021, has stated that the work of destruction of illegal earth bunds at hersapir creek area has been completed and also requested for joint inspection.

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Accordingly, a joint visit was held by the officials of Forest department, Bhachau and official of Land section, DPT on 9th Feb, 2021, in which it was observed that the existing earthen bunds, surrounding a single area (admeasuring: 80 Ha) adjacent to Plot No. 3 (near Khersapir creek area) have been flattened & broadened only, however, as per the Rojkam (held on 3.12.2020) identified three locations. Further, the activities of mangrove restoration as per the Rojkam are also yet to be attended.

In view of above, you are requested to kindly direct the concerned authority to execute/ complete the above said activities at the earliest and submit the detailed report of the work done along with location drawings and photos in compliance to the directions of Hon'ble NGT order dated.

This has the approval of Chief Engineer.

Yours faithfully,


Superintending Engineer (KL)
DEENDAYAL PORT TRUST

Copy to:

1. Range Forest Officer, Bhachau, Kutch. – For kind information and necessary action.
2. Sr. P.S. to Chairman. – For kind information of Chairman please.
3. C.E. & HOD (Estate) – For kind information please.

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ANNEXURE "R-19"



Office of the Deputy Conservator of Forests
Kachchh East Forest Division, Forest Complex,
B/h District Industrial Centre,
Bhuj- Kachchh 370001.



Email: dcfkachchheast@gmail.com

Ph: 02832-250227

Fax: 02832-229630

No: PVY/6/B/457-59/2022-23

Dt. 2/08/2022

To,
Executive Engineer (KL),
Deendayal Port Trust,
Administrative Office Building,
Post Box No.50,
Gandhidham- Kutch.

Sub.:- Hon'ble National Green Tribunal Order in E.A. no. 12/2020 in OA No. 111/2018.

Ref.:- (1) Directions issued by the Director (Environment) & Member Secretary, GCZMA Vide no. ENV-10-2020-NGT-4-T dated 05/11/2020.
(2) DPT submission vide letter No. LW/PL/3361-IV/72 dated 16/11/2020 w.r.t. directions issued dated 05/11/2020.
(3) This Office letter No. B/JMN/T.9/26463-64/2020-21 dated 12/11/2020.
(4) Letter from Your Office No. LW/PL/3361-IV/84 dated 01/12/2020.
(5) Range Forest Officer, Bhachau Range, Bhachau letter no. A/Mangrove/File no. 56A/168/2022-23 dated 26/07/2022.

Sir,

Kindly refer to the above cited references for the subject mentioned above.

In this regards, it is to inform that, DPT has deposited an amount of Rs.2,42,64,200/- in the Bank Account No. 920010034396773 (Axis Bank) for bund removal and mangrove plantation w.r.t. area under jurisdiction of DPT that is Nani Chirai, Moti Chirai and Khershampir Creek area.

According to that illegal bund destruction work and mangrove restoration work has been carried out by Range Forest Officer, Bhachau Range in the said area. After that DPT and Revenue Department has carried out exercise of land demarcation for Jangi area and found that it is also under jurisdiction of DPT. The area which is under dispute is located near Navlakhi Port, Morbi district. For which separate matter is pending before Hon'ble National Green Tribunal (Original Application No. 89/2020 (wz))

Now, to carry out mangrove restoration work in remaining area of Jangi and to remove illegal earth bund from said area, amount (2500 rmt. X Rs.2000/Rmt. =

Page 1 of 3

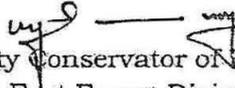
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Rs.50,00,000/-) for bund removal and mangrove restoration (32 Ha. X 3 times = 96 Ha. X Rs.45000/Ha. = Rs.43,20,000/-) to be deposited in the above mentioned Axis Bank account.

Thus, it is requested to deposit total amount of Rs.93,20,000/- (Ninety three Lac Twenty Thousand Only) to carry out compliance work as per Hon'ble National Green Tribunal order dated 16/09/2020. The actual length of illegal earth bund may vary as per site visit which will be carried out by Forest Department and Engineers Land Section, Deendayal Port Trust.

Encl.: Demand Note.

Yours faithfully,


Deputy Conservator of Forests
Kachchh East Forest Division, Bhuj.

Copy for kind information:- Chief Conservator of Forests, Kachchh Circle, Bhuj (Member - Convener of the committee constituted vide order no. ENV-10-2020-NGT-4-T dt.09/10/2020.)

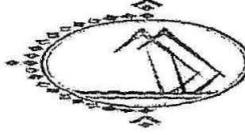
Copy to :- Range Forest Officer, Bhachau Range, Bhachau for information and necessary action.

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ANNEXURE-R-20

DEENDAYAL PORT AUTHORITY

E-MAIL:-
dptlandsection@gmail.com
 MOBILENO.+91
 9427251059
 FAX: (02836) 232040.
 WEBSITE:
www.deendayalport.gov.in



Land Section, (Estate
 Division), Room No.
 14&15, Administrative
 Office Building, Post Box
 No. 50, Gandhidham-
 Kutch. Pin Code: 370 201.

LW/PL/ 3361-V/

Dated: 29-09-2022

To,
 The Dy.Conservator of Forest,
 Office of the Deputy Conservator of Forest
 Kachchh East Forest Division, Forest Complex,
 B/h District Industrial Centre,
Bhuj- Kachchh 370001.

Sub: Hon'ble National Green Tribunal Order in E.A. no.
 12/2020 in OA No. 111/2018.
 Ref.: Dy.CF letter no. No: PVY/6/B/457-59/2022-23 Dt. 02/08/2022.

Sir,

This is in reference to above mentioned letter no. PVY/6/B/457-59/2022-23 Dated 2/8/2022 vide which Dy.CF ,Kachchh (East) has requested Deendayal Port Authority to carry out mangrove restoration work in remaining area of Jangi and to remove illegal earth bund from said area and also requested DPA to deposit an amount of Rs. 93,20,000.00 in the Axis Bank Account of Forest Department (2500 rmt. X Rs.2000/Rmt. = Rs.50,00,000/- - for bund removal and mangrove restoration 32 Ha. X 3 times = 96 Ha. X Rs.45000/Ha. = Rs.43,20,000/-), in order to carry out compliance work as per Hon'ble National Green Tribunal order dated 16/09/2020.

In this regard, it is relevant to mention here that, as per the directions issued by the Director (Environment) & Member Secretary, GCZMA dated 5.11.2020 & subsequent letter of Dy. Conservator & Forest, Bhuj, DPA had already deposited amount of Rs.2,42,64,200 for (1) Removing of Soil Bund; 4240 rmt. (2) restoration of Mangrove Plantation 350.76 Ha (3 x 116.92 Ha) area, w.r.t. area under jurisdiction of DPA. For ready reference, kindly refer DPA communications vide no. LW/PL/3361-IV /84 dated 1/12/2020 addressed to the Dy.CF, Kachchh East Division, Bhuj (Copy enclosed).

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In the said letter dated 1/12/2020, it was categorically informed that, for particular parcel of land/area (Jungi area), after demarcation of land & ownership of land thereof (DPT or Revenue Department), further steps would be taken accordingly for restoration of mangroves & removal of bund.

Therefore, w.r.t. area mentioned in Dy.CF letter dated 2/8/2022 (Jungi area), it is relevant to mention here that, the issue of survey and demarcation of the boundaries of DPA land and State Government land is still under process and pending before the DILR, Bhuj.

In view of the above, it is submitted that, w.r.t. area under jurisdiction of Deendayal Port Authority, an amount of Rs. 2,42,64,200/- had already been deposited by DPA to the Forest Department, for bund removal and mangrove plantation activities and hence, complied with the Hon'ble NGT order dated 16/9/2020.

This has approval of the Chairman, Deendayal Port Authority.

Yours faithfully,

1/1/2022
SE (Kandla Land)
Deendayal Port Authority

01/1/2022
20/8/2022

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ANNEXURE-R-21

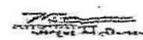
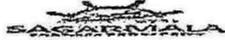
DEENDAYAL PORT AUTHORITY

(Ministry of Ports, Shipping & Waterways, Govt. of India)

E-MAIL:-
dptlandsection@gmail.com
 MOBILENO.+91
 9427251059
 FAX: (02836)
 232040.
 WEBSITE:
www.deendayalport.gov.in



Land Section, (Estate
 Division), Room No. 14
 15 & 16, Administrative
 Office Building, Post
 Box No. 50,
 Gandhidham-Kutch,
 Pin Code: 370 201.



No. LW/PL/ 3236/2022

Dated: 8-11-2022

The Superintendent of Police,
 East-Kachchh, Office of the S.P.,
Gandhidham-Kachchh

Sub: Un-authorized Occupation of Salt Land/Plots & Encroachment of vacant & un-allotted land, including Violation of Environmental/ CRZ Norms, at Kandla and from Villages Veera to Tuna, villages Kharirohar to Vondh, Bhachau and upto Village Jangi; under jurisdiction of Deendayal Port Authority.

Respected Sir,

It is to inform that vast land and plots of Salt land in a stretch of 115.00 kms. length is under the jurisdiction of Deendayal Port Authority (formerly Kandla Port Trust), situated from Village Veera to Tuna, at Kandla and from Village Kharirohar / Mithirohar to Chudva / Padana / Varsana to Moti Chiral/ Chopadva to Bhachau to Vondh-Samakhiali and upto village Amballyara-Vandla-Jangi. The Possession of this vacant DPA land and

Salt land plots taken back by Deendayal Port Authority (erstwhile Deendayal Port Trust) are being maintained & monitored by the Officials and Mangrove Chowkidars of this office. These plots/areas include vacant and barren/un-allotted lands of Deendayal Port Authority (DPA) which includes number of small rivers, creeks and small streams too located alongside the Inter-tidal land/area. Also, apart from wild bushes/jungle there is huge and dense mangrove plantation in the surrounding land/area of DPA.

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In this regard, it is brought out that some of the internal area/land of DPA is even inaccessible by vehicles and looking to the fact that some of these location(s) are situated far away in the interior i.e. about 50.00 to 80.00 kms from our office, It is difficult to keep a strict vigil on our Assets and protect the Port property, round the clock, In this connection, it is pertinent to mention here that the possession of salt land plot including vacant lands duly located at Kandla and near the vicinity of villages Veera - Sangad - Rampar - Chandrapar upto Village Vandī-Tuna under Taluka Anjar and from Villages Kharirohar - Padana - Varsana - Chiral - Chopadva upto Bhachau and from villages Vondh - Ambaliyara - Vandia upto Jangl are being maintained and monitored by DPA till today. All these obstructions and the threat of antisocial elements, leads to overall hindrance in the job of regular and smooth patrolling and safeguarding the land.

During the inspection of DPA land/Plots In Bhachau area and on 9.11.2022, 10/11/2022 and 11/11/2022 by the officials/staff of Land section, DPA; it was observed that some miscreants of nearby area had deployed their Machinery & Equipment including Hitachi's, Tractors etc. on the DPA Land/Plots for an attempt of encroachment & seizure of DPA Land. These persons had started the work at site and are in the process of unauthorisedly occupying the vacant/un-allotted DPA land located on west side of Betya Peer/Ghulamshah Peer Dargah, near Bhachau. Presently, the unauthorized work has been stopped at the site, situated near Dargah, at Bhachau, by DPA officials, on 11/11/2022 with great pursuance and risk. The photographs depicting the factual conditions of area are enclosed.

Moreover, the miscreants have carried out similar activities and movement near villages Vondh, Ambaliyara and Vandia where the work of Salt manufacturing is in progress. It was also noticed that the miscreants had also entered in the DPA area of 919 acres salt land, allotted previously to ex-lessee M/s Kanoria Chemicals & Industries Ltd., near village Jungi, for the illegal motive of re-developing some portions of the plot and using the captured land for the purpose of salt manufacturing.

Also, it is noticed that the miscreants have attempted to obstruct the flow of natural creeks such as Hadkiya creek and Ghetiya creek, its subsidiary streams and tried to destroy the mangrove plantation in the surrounding area, thus violating Environment Norms and CRZ regulations.

It is discreetly enquired that these un-authorized activities and illegal movement are collectively found in progress on DPA Land, in an area of about 1500 acres, since last fortnight even at odd hours and are carried out by the local miscreants and hooligans of nearby villages under Bhachau Taluka area for the purpose of re-developing salt land/plot. Moreover, during the course of inspection, it is found that presently

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13) construction of approach roads and formation of Earthen Bunds is being carried out by the miscreants in and around the salt land area.

It is a matter of concern that the miscreants & local hooligans / henchmen, as well as Lessee's of Salt Lands/Plots under Revenue Department, State Govt. Bhuj, who have encroached upon DPA Land are blocking the Roads/approaches and not allowing entry to the officials of Deendayal Port Authority. Further, they are misbehaving, using unparliamentary language and threatening to harm our Officers, Junior Engineers and Mangrove Chowkidars and challenging with dire consequences. They have even tried to manhandle our DPA officials on many occasions.

It is pertinent to mention here that in the Pre-Covid period during 2018-20, as well as during the Covid Pandemic, such similar incidents of un-authorized occupation of DPA Lands occurred and the same were reported by this office wherein complaints were lodged in the respective Police Stations. A copy of the representation dated 07/11/2022 made by the Kachchh Camel Breeders' Association, Bhuj is enclosed, regarding closure of creeks and destruction of Mangroves in and nearby Bhachau area.

In the context of the subject matter, our Ministry of Ports, Shipping and Waterways, Govt. of India, New Delhi, too is strictly monitoring the issues of Encroachment on DPA land. As such, the administration of DPA has taken a very serious note and expressed dis-pleasure on this new incidence of violation of Environmental norms, including fresh encroachment on the plot/land of DPA, situated from Bhachau to Vondh upto Jungi area. It is apprehended that continuation of these activities and movement is giving leverage to frivolous/negative publicity in the public and as well as in the social media. It may also result in Court case and litigation.

Accordingly, it would be highly appreciated if this issue is investigated and needful action is initiated against the Trespassers' in the matter, as per the Rules/Section/Clauses of IPC, on top priority. The documents, drawing(s) and other details of the DPA Land including land acquired Notification in respect of Ownership and Possession of DPA Land are readily available for kind reference, record and taking further necessary action in the issue.

It is a matter of great regret to point out that such repeated instances of unauthorized occupation & attempt of encroachment on vacant/un allotted DPA land, including violation of Environmental Norms are detrimental to the reputation and image of our esteemed Organization.

Therefore, a joint inspection of the area/land is required to be conducted by the concerned authorities. An early action will be highly

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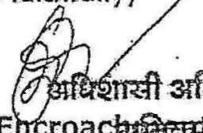
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solicited in this sensitive matter, to salvage the DPA prestige and eliminate re-occurrence of such incident. This will ensure preservation of Mangrove plantation and eradicate the violation of Environmental Norms and CRZ regulations.

This issues with the consent/approval of competent authority.

(Enclosed: as above)

Yours faithfully,


 अधिशासी अभियंता (न.वि.)
 Executive Engineer (Encroachment Cell)
 Deendayal Port Authority
 दीनदयाल पोर्ट अथॉरिटी

Executive Engineer (TD)
 ENCROACHMENT CELL
 Deendayal Port Trust

Copy to:

1. The Collector & District Magistrate, Bhuj (Kachchh)
2. The Dy. Collector & S.D.M. (Pranth Adhikari), Bhachau/Anjar.
3. The Mamlatdar & Executive Magistrate, Bhachau/Anjar/G'dham.
4. Superintendent of Land Records, Bhuj / D.I.L.R., Bhuj

Copy to:

1. The Dy. Supdt. of Police (East), Kachchh-
Bhachau/Gandhidham/Anjar.
2. The Police Inspector, Police Station, Bhachau,
3. The Police Sub Inspector, Police Station, Samakhiyali.
4. The Police Inspector, 'B' Division Police Station, Gandhidham
5. The Police Inspector, Police Station, Anjar
6. The Police Inspector, Marine Kandla Police Station, New Kandla.

Copy to:

1. Regional Officer, G.P.C.B. (East), Gandhidham
2. Regional Officer & Member Secretary, District Level & CRZ
Committee, G.P.C.B (West), Bhuj - Kachchh.

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3. The Chief Conservator of Forest, Bhuj, Kachchh Circle.
4. Dy. Conservator of Forest, East Division, Bhuj.
5. Asst. Director of Fisheries, Bhuj.

Copy to:

1. O.S.D. to Chairman - for kind information of Chairman, DPA pl.
2. P.S. to Dy.Chairman-for kind information of Dy.Chairman, DPA pl.
3. Chief Engineer - for kind information and necessary action please.
4. Superintending Engineer (Kandla Land), Land Section.
5. Superintending Engineer & E.M.C (I/c), DPA.

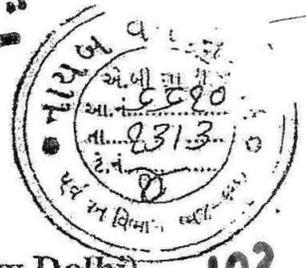

Executive Engineer (Encroachment Cell)
Deendayal Port Authority.

दीनदयाल पल्लन न्यास
Executive Engineer (TD)
ENCROACHMENT CELL
Deendayal Port Trust

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ANNEXURE-R-22

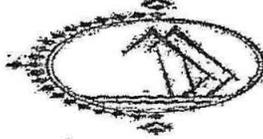


DEENDAYAL PORT AUTHORITY

(Formerly Kandla Port Trust)

(Under Ministry of Ports, Shipping & Waterways, New Delhi)

E-MAIL:
dptlandsection@gmail.com
MOBILENO. +91 9427251059
FAX: (02836) 232040.
WEBSITE: www.deendayalport.gov.in



Land Section, (Estate Division), Room No. 15&16, Administrative Office Building, Post Box No.50, Gandhidham-Kutch. Pin Code: 370 201.

103

No. LW/PL/ 3296/427

Dated: 02-03-2023

The District Superintendent of Police,
Office of the S.P., East-Kachchh,
Gandhidham-Kachchh

Sub: Unauthorized Occupation and Encroachment of DPA Salt Land/Plots & Vacant Land including carrying out illegal activities/ movements by miscreants, Violation of Environmental/CRZ Norms, near Dargah at Bhachau; under jurisdiction of Deendayal Port Authority.

T-4
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13-3 Respected Sir,

Kind reference is invited to office letter no. LW/PL/3296/289 dated 18/11/2022 (copy enclosed). The possession of vacant land and Salt land/plots under ownership of Deendayal Port Authority (erstwhile Deendayal Port Trust) are being maintained & monitored by the Officials and Mangrove Chowkidars of this office. These plots/areas and vacant lands of Deendayal Port Authority (DPA) include number of creeks and small streams located alongside the inter-tidal land. Also, there is huge and dense mangrove plantation in the surrounding land/area of DPA.

During the inspection of DPA land/Plots near village Vondh and in Bhachau area on 11.02.2023 and 15.02.2023 by the officials/staff of Land section, DPA; it was observed that some miscreants of nearby area had deployed their Machinery's & Equipment's including Hitachi's, Tractors, etc. in an attempt of encroachment & seizure of DPA Land and are in the process of unauthorizedly occupying the vacant DPA land at 3 different locations situated on East, South West and North West direction of Betiya Peer/Ghulamshah Peer Dargah, near Bhachau.

Sanjay
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In this regard, it is brought out that some of the internal area/land of DPA is even inaccessible by vehicles and looking to the fact that some of these location(s) are situated far away in the interior i.e. about 50.00 to 60.00 kms from our office, it is difficult to keep a strict vigil on our Assets and protect the Port property, round the clock, in this connection, it is pertinent to mention here that the possession of salt land/plot including vacant lands duly located near the vicinity of villages Chopadya upto Bhachau-Vondh-Ambaliyara-Vandia and Jungi are being maintained and monitored by DPA till today. However, all these obstructions and the threat of antisocial elements, leads to overall hindrance in the job of regular patrolling and safeguarding the land.

In the above context, it is noticed that the miscreants have again attempted to obstruct the flow of natural creeks such as Hadkiya creek & Ghetiya creek, closed its subsidiary streams and have destroyed the mangrove plantation in the surrounding area, thus violating Environmental Norms and CRZ regulations.

It is pertinent to mention here that in the Pre-Covid period the Kachchh Camel Breeders' Association, Bhuj/Bhachau had lodged a complaint in the Hon'ble National Green Tribunal, New Delhi/ Pune regarding closure of creeks and destruction of Mangroves in similar land matter of Deendayal Port Authority located at Bhachau-Vondh area.

These un-authorized activities and illegal movement of machinery, labour, etc. have restarted and found in progress on DPA Land, in an area of about 2000 acres, since last 3 weeks, even at odd hours and are carried out by the local miscreants and hooligans of nearby villages under Bhachau Taluka area for the purpose of re-developing salt land/plot. Moreover, during the course of inspection, it is found that presently formation of Earthen Bunds, stopping of natural flow of creeks, tidal water and destruction of Mangroves is being carried out by the miscreants, in and around the vacant land area, which is located about 25 kms in the interiors from National Highway No. 141, (Bhachau Highway).

Presently, the unauthorized work has been stopped at the site, situated near Dargah at Bhachau with great pursuance and risk. However, the activities/movements are being restarted every now and then. All these obstructions and the threat of antisocial elements, leads to overall hindrance in the job of regular patrolling and safeguarding the vital Port land.

The administration of DPA has taken a very serious note and expressed dis-pleasure on this new incidence of violation of Environmental norms, including fresh encroachment on the plot/land of DPA, situated at Bhachau, which may also result in Court case in the Hon'ble NGT. It is

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apprehended that continuation of these activities and movement is giving leverage to frivolous/negative publicity in the public and as well as in the social media.

Accordingly, it would be highly appreciated if this issue is investigated and needful action is initiated against the Trespassers' in the matter, as per the rules/section/clauses of IPC, on top priority.

The documents, drawing(s) and other details of the DPA Land including land acquired Notification in respect of Ownership and Possession of DPA Land are readily available with this office. The photographs of Encroachment on DPA Vacant land, taken at site are enclosed please for any reference, record and taking further necessary action in the matter.

An early action will be highly solicited in this sensitive issue, to salvage the DPA prestige and eliminate re-occurrence of such incident. This will ensure preservation of Mangrove plantation and eradicate the violation of Environmental Norms and CRZ regulations.

This issues with the consent/approval of competent authority.

Enclosed:

1. This office letter dated 18/11/2022
2. Photographs of repairing Earthen Bunds, closing of cuts in Earthen Bunds, cutting and removing of Mangrove Plantation. - 34 photos

Yours faithfully,

W 21/05/2023
Superintending Engineer (Kandla Land)
Deendayal Port Authority.

Superintending Engineer (Kandla Land)
Deendayal Port Authority

Samir
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Contd - 4

Copy to:

1. The Collector & District Magistrate, Bhuj (Kachchh).
2. The Dy. Collector & S.D.M. (Pranth Adhikari), Bhachau.
3. The Mamlatdar & Executive Magistrate, Bhachau.
4. The Dy. Supdt. Of Police (East), Bhachau.
5. The Police Inspector, Police Station, Bhachau.

Copy to:

1. Regional Officer, G.P.C.B. (East), Gandhidham.
2. Regional Officer & Member Secretary, District Level & CRZ Committee, G.P.C.B (West), Bhuj-Kachchh.
3. The Chief Conservator of Forest, Bhuj, Kachchh Circle.
- ✓ 4. Dy. Conservator of Forest, East Division, Bhuj.
5. The Fisheries Deptt., Bhuj.
6. Range Forest Officer, Bhachau.

Copy to:

1. OSD to Chairman - For kind information of Chairman, DPA.
2. PS to Dy. Chairman - for kind information of the Dy. Chairman, DPA.
3. Chief Engineer - for kind information.
4. Executive Engineer (Encroachment Cell), DPA.

2/2/2023
 Superintending Engineer (Kandla Land)
 Deendayal Port Authority.
 Superintending Engineer (Kandla Land)
 Deendayal Port Authority

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Monogram

Monogram

OFFICE OF CIRCLE FOREST OFFICER
Bhachau Normal Range
Opp. Custom Check Post, Near Blind School, Bhachau-Kutch

No. A/MNF/F.No.56A/544-45/Year2022-23 Bhachau-Kutch Dt. 11.03.2023

To
Dy. Forest Conservator,
Kutch East Forest Department,
Bhuj-Kutch

Sub : Regarding compliance work of order dt. 16.09.2020 in E.A.12/20220 in Original Application 111/2018 of Hon. National Green Tribunal
Ref : (1) Our Letter No. A/MNF/F.No.56A/349/2022-23, dt. 30.11.2022
(2) Our Letter No. A/MNF/F.No.56A/33/2022-23, dt. 30.04.2022
(3) Our Letter No. A/MNF/F.No.56A/413-16/2021-22, dt.25.03.2022
(4) Our Letter No. A/MNF/F.No.56A/262/2021-22, dt. 10.12.2021

Sincerely the statement regarding the above subject is that, on dated 16.03.2022 in the afternoon during the inspection of Ghulamshapir-Moti Chirai by the District Forest Officer Bhachau and The Forester Bhachau at creek area near Bhachau as per the order of Hon'ble NGT, it was noticed that illegal soil embankments have been made by anti-social elements in the Mangrove plantation area, it was reported to Chief Engineer Land Section Deendayal Port Authority and you by Ref. Letter 2. The earthen embankment was broken to allow free flow of water from the marine creek area and the photos of the creek water reaching the plantation area were sent through whatsapp on 09.04.2022 and 25.04.2022. After that during September, 2022 the casualty replacement was done in the said area, sent through whatsapp on 03.09.2022. The detailed action technology report of which has been cited by Ref 1 here. But the said area is not a reserve forest or sanctuary under its jurisdiction and is land owned by Deendayal Port Authority. The approximate distance from the range office here is 25 to 30 km, regular rotation is not possible by the limited organization/staff allocated for the management of the reserve forest. Still we are going to said area alongwith patrolling of Bhachau jungle area from time to time and you are sent GPS co-ordinate photo through whatsapp. Again, today on dt. 13.03.2023 during patrolling of the said area, it was noticed that illegal earth embankments were made by anti-social elements in the north-west direction of Gulamshapir area. At present small mangrove plants are alive in this area but the sea tide water is not found on the ground and the land is dry. As per place / condition observation about 150 to 200 hectares of mangrove land is adversely affected due to illegal embankment. Therefore, to save the mangrove plantation, it is necessary to break the embankment with immediate effect. Therefore, it is requested for writing at your level to competent authority about the violation of Deendayal

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Port Authority and Coastal Regulation Zone rules. For safety of highly sensitive Chair-Residential Committee in said area as per the directions of the eminent NGT as per District Integration Committee formed in past, a committee or task force be formed having representative of Deendayal Port Authority, Revenue Department, Gujarat Pollution Control Board, Gujarat eco-technological Commission, GCZMA also Forest Department to carry out a specific survey of Mangrove extermination at this area and prepare an action plan. Kindly request to present at appropriate level.

Sd/- Illegible
B. J. Jhala
Range Forest Officer
Bhachau

Copy To :- Chief Engineer, Land Section, Deendayal Port Authority, Gandhidham for information

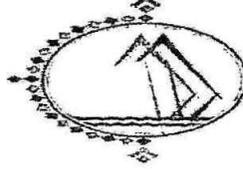
Encl : Photograph Copy 18

Sd/- Illegible
B. J. Jhala
Range Forest Officer
Bhachau

Sannu
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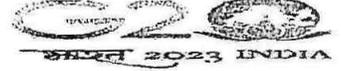
109
ANNEXURE "A-24"**DEENDAYAL PORT AUTHORITY**

E-MAIL:-
dptlandsection@gmail.com
MOBILENO.+91
 9427251059
FAX: (02836) 232040.
WEBSITE:
www.deendayalport.gov.in



PM
GatiShakti

Land Section, (Estate
 Division), Room No. 15 &
 16, Administrative Office
 Building, Post Box No.
 50, Gandhidham-Kutch.
 Pin Code: 370201



No. LW/PL/3361-V/SAB

Dated: 26-06-2023

To,
 Public Relation Officer (PRO)
 Office of the Collector and District Magistrate, Kutch,
 Jila Seva Sadan, Mandvi Road,
Bhuj-Kutch.

Sub:-Report/Article published in the daily Gujarati newspaper Gujarat Samachar, received through the C.M. dashboard portal -Reg. Furnishing of Compliance & Action taken report.

Ref: (i) Letter No. JAN-3/CM.DASHBOARD/NEWS A NA/NEWS ID .00110659/05/2023 DATED 26.05.2023.
(ii) Letter No. A/MANGROOVE/F.NO.56A/106.08/SANE.2 023-24 BHACAHAU DATED 31.05.2023

Sir,

With reference to above subject, the Deendayal Port Authority would like to emphasize once again on the fact that DPA has never been engaged in any activity which disrupts the ecologically sensitive areas. In fact, as a responsible Government body, all efforts are taken at DPA for strict compliances of the all the statutory rules, regulations and laws.

In this regard, it is relevant to mention here that, as per the directions issued by the Director (Environment) & member Secretary, GCZMA dated 05-11-2020 in pursuant to Order in EA No. 12/2020 in QA No. 111/2018 passed by the Hon'ble National Green Tribunal and subsequent letter of Dy. Conservator & Forest, Bhuj, DPA had already deposited amount of Rs. 2,42,64,200/- for (1) removing of Soil Bund; 4240 rmt. (2) restoration of Mangrove Plantation 350.76 Ha (3 x 116.92 Ha) area, w.r.t. area under jurisdiction of DPA. However, this office has not received the detailed report of the work done along with location drawings and photos in compliance to the directions of Hon'ble NGT from the Conservator & Forest, Bhuj till date.

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It is submitted that Kandla Port water front land from village Jungi to Village Veera extends in length of about 110 kms. It may be noted that in this particular region, a peripheral boundary length of about 110 kms is disputed as to which parcel of land belongs to the DPA or the Govt. of Gujarat (revenue land). As such, till date, there have been no clearly demarcated boundaries of lands belonging to the DPA and those belonging to the State Government. As a result, there exist many cases wherein State Government has allotted lands to the salt manufactures, which even extends to the lands belonging to the DPA. Further, due to lack of demarcation, there have been many cases of illegal encroachment over DPA lands by miscreants. Now, DILR, Bhuj have provided the Maps which are under finalizations.

The Unauthorized Occupation and Encroachment of DPA Salt Land/Plots & Vacant Land carrying out illegal activities/movement by miscreant's violation of Environment/CRZ Norms, near Dargah at Bhachau, under jurisdiction of Deendayal Port Authority. The administration of DPA has taken a very serious note and expressed dis-pleasure on this new incidence of violation of Environmental norms, including fresh Encroachments on the plot/land of DPA situated at Bhachau, which may also result in Court case in the Hon'ble NGT. It is apprehended that continuation of these activities and movement leverage to frivolous/negative publicity in the public and as well as in the Social Media.

The possession of vacant land and Salt land/plots under ownership of DPA are being maintained & monitored by Officials and mangrove chokidars. These plots/areas and vacant lands of DPA include number of creeks and small streams located alongside the inter-tidal land. Also there is huge and dense mangrove plantation in the surrounding land/area of DPA.

Presently, the unauthorized work has been stopped at the site, situated near Dargah at Bhachau with great pursuance and risk. However, the activities/movements are being restated every now and then. All these obstructions and the threat of antisocial elements, leads to overall hindrance in the job of regular patrolling and safeguarding the vital port land.

In order to avoid such repeated instances of unauthorized occupation & attempt of encroachment on vacant/ un allotted DPA land, including violation of Environmental Norms which are detrimental to the reputation and image of our esteemed organization. Therefore, a joint inspection of the area/land is required to be conducted by the concerned authority. Accordingly, DPA vide letter No. LW/PL/3296/289 dated 18-11-2022 (copy enclosed) has requested to the Superintendent of Police, Gandhidham copy endorsed to the Collector & District Magistrate, Bhuj (Kachchh), the Dy. Collector & S.D.M. (Pranth Adhikari), Bhachau, the Mamlatdar & Executive Magistrate, Bhachau, the Dy. Supdt. Of Police (East), Bhachau, the Police Inspector, Police Station, Bhachau, Regional Officer, G.P.C.B. (East), Gandhidham, Regional Officer &

Sanjiv
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111

Member Secretary, District Level & CRZ Committee, G.P.C.B (West), Bhuj-Kachchh, the Chief Conservator of Forest, Bhuj, Kachchh Circle, Dy. Conservator of Forest, East, Division, Bhuj, The Fisheries Deptt., Bhuj, Range Forest Officer, Bhachau.

This for kind information please.
This has approval of Competent Authority.

Encl: As above

Yours faithfully,

[Signature]
Chief Engineer
Deendayal Port Authority

Copy to:- Range Forest Officer, Bhachau

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one
26/6/2023 *[Signature]*

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Amit Arora I.A.S.
Collector & District Magistrate
Kachchh, Bhuj



सत्यमेव जयते

ANNEXURE "R-25"

Collector Office, Kachchh
Jilla Seva Sadan, College Road,
Bhuj-Kachchh, (Gujarat) 370001.
Ph. 02832 - 250020
Fax 02832 - 250430
Mo. 099784 06213
E-mail : collector-kut@gujarat.gov.in
website : www.collectorkutch.gujarat.gov.in

No: GPCB/RO/Kutch-West/CRZ/T-55(G)/528

Date: 17/10/2023

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

Dy.Ch
C.E.

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 I-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 I (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.

Mandana SHARDA -2023-24_General Administration -1931_10/26/2023_12:33:40
Amit Arora I.A.S.
District Collector and District Magistrate-Kutch &
Chairman of District Level CRZ Committee.

113

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

Copy to,
The Chairman,
Gujarat Coastal Zone Management Authority,
Gandhinagar.....For your information please

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ANNEXURE-R-26

Monogram

Monogram

OFFICE OF DEPUTY FOREST CONSERVATOR
Kutch East Forest Department, Forest Complex
Behind District Industrial Centre, Bhuj-Kutch-370001

E-mail : dcfkachchheast@gmail.com

Phone No. 02832-250227

Fax No. 0832-229630

No. AFO/6/A/569-70/2023-24

Dt. 13.10.2023

Required grant
to be allocated
CE 3/11

To
Chairman
Deendayal Port Trust
Administrative Office Building,
P. Box No. 50, Gandhidham-Kutch

Sub : Implementation of Hon'ble National Green Tribunal Order in E. A. No. 12/2020 in Original Application No. 111/2018-Regarding Kachchh Camel Breeders Association Versus Union of India & Others.

Ref : (1) Directions issued by the Director (Environment) & Member Secretary, GCZMA vide No. ENV-10-2020NGT-4-T, dated 05.11.2020
(2) DPT submission vide Letter No.LW/PL/3361-IV/72, dated 16.11.2020 w.r.t. directions issued dated 05.11.2020
(3) Our office Letter No. B/JMN/T-9/26463-64/2020-21, dated 12.11.2020
(4) Our Office Letter No. LW/PL/3361-IV/84, dated 01.12.2020
(5) Letter No. A/Mangrove/F.No.56A/275/Year2023-24, dated 09.10.2023 of Asst. Forest Officer, Bhachau Range, Bhachau

Regarding above subject and reference state that, Deendayal Port Trust has deposited Rs. 2,42,64,200/- in our office Bank Account (Account No. 920010034936773-Axis Bank) for removing embankment and restoration of mangrove in Nani Chirai, Moti Chirai and Khershapeer creek area owned by Deendayal Port Trust. In its conclusion, Circle Forest Officer, Bhachau Range, Bhachau under our department completed proceeding to remove 4215 rmt embankment and plantation of 350 Hector + 145 Hector (as per availability of fund) in this way total 495 Hector mangrove.

Thereafter illegal elements started proceeding to harm mangrove by making illegal embankment in said area, information in this regard is also done in your office. Also more harm is not caused to mangrove for that

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removal of embankment and casualty plantation as per available fund is done during year 09/2022.

This area is not included in the reserve forest or sanctuary area of forest department. The area is owned by Deendayal Port Trust, which in view of conservation is very sensitive area. Also being area owned by Deendayal Port Trust action cannot be taken as per forest law. Near which there are units related to salt production and there are many challenges. This area is located approximately 25 to 30 km from the Bhachau range headquarters in the hinterland. For the protection of which it is not possible to carry out regular rotation by the department/staff allotted for the management of reserved forest. However alongwith regular patrolling of the Bhachau forest area by the Bhachau range staff, the Mangrove plantation area owned by the Deendayal Port Trust is also patrolled. But your office is requested to make a permanent arrangement for the protection of this mangrove plantation, we hope that action will be taken by you.

In particular, it may be mentioned that Bhachau was recently visited by the Additional Senior Chief Conservator of Forest, Lands, Gujarat State, Gandhidnagar. During which mangrove plantation was discussed. In which instructions have been given regarding increasing the density of mangrove plantation by planting gaps in the mangrove plantation area. Pursuant to which the undersigned visited the mangrove plantation on 07.10.2023. Good results have been observed in the cultivated area. There seems to be necessity of approx Rs. 15,10,000/- as per demand note enclosed herewith for plantation by straight seeds plantation procedure in approx 100 hector for increasing mangrove re-establishment in area as per casualty @ 20% with purpose to do increment. Hence it is requested to make financial allocation in this regard.

Enclosed : As above

Sd/- Illegible
G. D. Sarvaiya
Dy. Forest Conservator
Kutch East Forest Department, Bhuj

Copy despatched

- Chief Forest Conservator, Kutch Forest Circle, Bhuj with request for information

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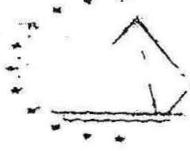
306

ANNEXURE "R-27"

दीनदयाल पत्तन प्राधिकरण
DEENDAYAL PORT AUTHORITY

An ISO 9001:2000 Certified Port
(Ministry of Ports, Shipping & Waterways, Govt. of India)

116



Deendayal Port Authority
Office of the Superintendent of Police
Annexe Building
Gandhidham, Kutch
Mail - xenroadskpi@gmail.com

No.RW/WK/E

Dated 26/10/2023

The Superintendent of Police
East Kutch, office of S.P.,
Gandhidham- Kutch

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 honourable National Green Tribunal-OA. 111/2018 & E.A. 12/2020.

- Ref. (I) MoM of the District Level CRZ Committee dated: 24/05/2023.
(II) Site Inspection of Sub- Committee dated: 27/07/2023.
(III) No: CPCB/RO/Kutch-West

Respected Sir,

It is to inform that vast land and plots of Salt land in a stretch of 115.00 kms. length is under the jurisdiction of Deendayal Port Authority (formerly Kandla Port Trust), situated from Village Veera to Tuna, at Kandla and from Village Kharirohar / Mithirohar to Chudva / Padana / Varsana to Moti Chirai / Chopadva to Bhachau to Vondh-Samakhiyali and upto village Ambaliyara-Vandia Jangi. The Possession of this vacant DPA land and

Salt land plots taken back by Deendayal Port Authority (erstwhile Deendayal Port Trust) are being maintained & monitored by the officials and Mangrove Chowkidars of this office. These plots/areas include vacant and barren/un-allotted lands of Deendayal Port

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Authority (DPA) which includes number of small rivers, creeks and small streams too located along side the inter tidal land /area. Also apart from wild bushes / jungle there is huge and dense mangrove plantation in the surrounding land / area. Of DPA.

In this regard, it is brought out that some of the internal area/land of DPA is even inaccessible by vehicles and looking to the fact that some of these location(s) are situated far away in the interior i.e. about 50.00 to 80.00 kms from our office, it is difficult to keep a strict vigil on our Assets and protect the Port property, round the clock,

In this connection, it is pertinent to mention here that the possession of salt land plot including vacant lands duly located at Kandla and near the vicinity of villages Veera - Sangad - Rampar - Chandrapar upto Village Vandit-Tuna under Taluka Anjar and from Villages Kharirohar - Padana -Varsana - Chirai - Chopadva upto Bhachau and from villages Vondh - Ambaliyara- Vandla upto Jangi are being maintained and monitored by DPA till today. All these obstructions and the threat of antisocial elements, leads to overall hindrance in the job of regular and smooth patrolling and safeguarding the land.

During the inspection of DPA land/Plots in Bhachau area and on 9.11.2022, 10/11/2022 and 11/11/2022 by the officials/staff of Land section, DPA; it was observed that some miscreants of nearby area had deployed their Machinery & Equipment including Hitachi's, Tractors etc, on the DPA Land/Plots for an attempt of encroachment & seizure of DPA Land. These persons had started the work at site and are in the process of unauthorizedly occupying the vacant/un-allotted DPA land located on west side of Betiya Peer/Ghulamshah Peer Dargah, near Bhachau. Presently, the unauthorized work has been stopped at the site, situated near Dargah, at Bhachau, by DPA officials, on 11/11/2022 with great pursuance and risk. The photographs depicting the factual conditions of area are enclosed.

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Moreover, the miscreants have carried out similar activities and movement near vilages Vondh, Ambaliyara and Vandia where the work of Salt manufacturing is in progress. It was also noticed that the miscreants had also entered in the DPA area of 919 acres salt land, allotted previously to ex-lessee M/s Kanoria Chemicals & Industries Ltd., near village Jungi, for the illegal motive of re-developing some portions of the plot and using the captured land for the purpose of salt manufacturing.

Also, it is noticed that the miscreants have attempted to obstruct the flow of natural creeks such as Hadliya creek and Ghetiya creek, its subsidiary streams and tried to destroy the mangrove plantation in the surrounding area, thus violating Environment Norms and CRZ regulations.

It is discreetly enquired that these un-authorized activities and illegal movement are collectively found in progress on DPA Land, in an area of about 1500 acres, since last fortnight even at odd hours and are carried out by the local miscreants and hooligans of nearby vilages under Bhachau Taluka area for the purpose of re developing salt land/plot Moreover, during the course of inspection, it is found that presently construction of approach roads and formation of Earthen Bunds is being carried out by the miscreants in and around the salt land area.

It is a matter of concern that the miscreants & local hooligans / henchmen, as well as Lessee's of Salt Lands/Plots under Revenue Department, State Govt. Bhuj, who have encroached upon DPA Land are blocking the Roads/approaches and not allowing entry to the officials of Deendayal Port Authority. Further, they are misbehaving, using unparliamentary language and threatening to harm our Officers, Junior Engineers and Mangrove Chowkidars and challenging with dire

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consequences. They have even tried to manhandle our DPA officials on many occasions.

It is pertinent to mention here that in the Pre-Covid period during 2018-20, as well as during the Covid Pandemic, such similar incidents of un-authorized occupation of DPA Lands occurred and the same were reported by this office wherein complaints were lodged in the respective Police Stations. A copy of the representation dated 07/11/2022 made by the Kachchh Camel Breeders' Association, Bhuj is enclosed, regarding closure of creeks and destruction of mangroves in and nearby Bhachau area.

In the context of the subject matter, our Ministry of Ports, Shipping and Waterways, Govt. of India, New Delhi, too is strictly monitoring the issues of Encroachment on DPA land. As such, the administration of DPA has taken a very serious note and expressed dis-pleasure on this new incidence of violation of Environmental norms, including fresh encroachment on the plot/land of DPA, situated from Bhachau to Vondh upto Jungi area. It is apprehended that continuation of these activities and movement is giving leverage to frivolous/negative publicity in the public and as well as in the social media. It may also result in Court case and litigation.

Accordingly, it would be highly appreciated. if this issue is investigated and needful action is initiated against the Trespassers' in the matter, as per the Rules/Section/Clauses of IPC, on top priority. The documents, drawing(s) and other details of the DPA Land including land acquired Notification in respect of Ownership and Possession of DPA Land are readily available for kind reference, record and taking further necessary - action in the issue.

It is a matter of great regret to point out that such repeated instances of unauthorized occupation & attempt of encroachment on vacant/un allotted DPA land, including violation of Environmental

Sambhar
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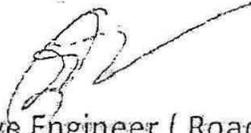
120

Norms are detrimental to the reputation and image of our esteemed Organization.

Therefore, a joint inspection of the area/land is required to be conducted by the concerned authorities, An early action will be highly solicited in this sensitive matter, to salvage the EPA and eliminate re-occurrence of such incident. This will be insuring preservation of mangrove plantation and eradicate the violation of environment norms and CRZ regulations.

This issue with the consent / approval of competent authority.
(Enclosed : As above)

Yours Faithfully


Executive Engineer (Road)

Deendayal Port Authority

98795 (4129C09)

Copy To:

1. The Collector & District Magistrate, Bhuj (Kachch)
2. The Dy. Collector & S.D.M. (Pranth Adhikari), Bhachau, Anjar
3. The Mamaldar & Executive Magistrate , Bhachau, Anjar, G,dham.
4. Superintendent of Land records, Bhuj/ D.I.L.R.

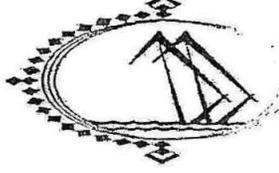
Copy To:

1. The Superintendent of Police (East) Kachchh. Bhachau, Anjar, G,dham.
2. The Police Inspector (Police Station), Bhachau
3. The Inspector (Police Station). Anjar
4. The Inspector, Marine Kandla Police Station, New Kandla.

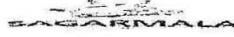

Date: 29/10/23
TRUE COPY

121
ANNEXURE - R-28**DEENDAYAL PORT AUTHORITY**
(FORMERLY KANDLA PORT TRUST)

E-MAIL:- se.kl.kpt@gmail.com
 MOB. NO.+91 9825227038
 FAX: (91 2836 232040.
 WEBSITE:
 www.deendayalport.gov.in



TD Division & Encroachment
 Removal Cell (C.E. Deptt),
 Office Room No. 128,
 Admin. Office Building,
 Gandhidham-Kutch.
 Pin Code: 370 201.



No.: LW/PL/3361-V/

DATED: /12/2023

OFFICE-ORDER

The Chairman, Deendayal Port Authority has been pleased to accord his approval to the following :-

Amount of Rs. 15,10,000/- to be deposited to the Dy. Conservator of Forest as per the demand note issued by Dy. Conservator of Forest, Kutch East for mangrove plantation in an area of 100Ha

Authority: Approved by Chairman under Note No.19 /NS Dated 10.11.2023 in File No. LW/PL/3361C*e-office*.

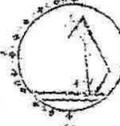
The expenditure is chargeable to Code **841/587/9744**
(Environmental Services & Clearance).

[Signature]
 Executive Engineer(Kandla Land)
 Deendayal Port Authority

Copy to :

1. A. O. (PAY), Gandhidham *o/c om*

[Signature]
TRUE COPY



ANNEXURE-R-29

जय कुमार मेहता भावसे

अध्यक्ष

K. MEHTA, IFS

CHAIRMAN

दीनदयाल पोर्ट प्राधिकरण, कंडला

पत्तन, पोत परिवहन और जलमार्ग मंत्रालय, भारत सरकार

DEENDAYAL PORT AUTHORITY, KANDLA

Ministry of Ports, Shipping and Waterways, Govt. of India

D.O. No. LW/PL/3520/02

Dated, the 2nd January, 2024.

Dear Manoj ji,

I would like to inform that Deendayal Port Authority, Kandla is in possession of land stretching about 344.4 sq. miles. The boundary of water front area on the North and western side stretches from Village Vira to Jungi is about 110 kms long.

Due to lack of demarcations between DPA Land and State Govt. land, various unauthorized occupation of DPA land by the Salt land lessees, including overlapping, encroachment and allotment of DPA land by State Authorities have been noticed. Due to above encroachment, there are multiple violations of law including environmental norms resulting in loss of revenue to DPA.

Based on DPA's past communications with State Govt. Authorities, the DILR (Bhuj) had commenced the work of Survey and Demarcation of DPA land on 9th January, 2019. DILR, Bhuj has provided measurement sheet of all 19 Villages in August, 2023.

The above issue was discussed by the DPA officials during the meeting held on 24-08-2023 with the Chief Secretary, Govt. of Gujarat. Subsequently, the issue was also discussed with your goodself on 22-12-2023 at Gandhinagar and apprised that Board of DPA had approved Block Estimate amounting to Rs.97.89 Crores for the work of "Construction of Service Road from Village Jungi/Vandhiya to Village Veera for Demarcation for Safe Guard of DPT (Now DPA) Land Bifurcating State Government Land in Phase wise". DPA has planned to construct the Service Road parallel to line bifurcating the DPA Land with State Govt. Land and assistance of State Govt. authorities is required for removal of these encroachments.

Contd... P:2

प्रशासनिक कार्यालय, गंधीधाम (कच्छ) गुजरात, भारत

ADMINISTRATIVE OFFICE GANDHIDHAM (KUTCH) GUJARAT INDIA PIN 370 201

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DEENDAYAL PORT AUTHORITY

... 2 ...

I would therefore, request your kind intervention in the matter and extend the help required for removal of encroachment by constituting a committee of DPA officials and officials of State Govt. Authorities for the above work, so that, ownership issue and encroachment issues can be resolved at the earliest.

With Regards

Yours sincerely,



(S. K. Mehta)

Shri Manoj Kumar Das, IAS
Additional Chief Secretary (Revenue),
Block No. 11, New Sachivalaya,
Gandhinagar - Gujarat.

Copy to :-

Collector, Bhuj-Kutch.

Sampur
TRUE COPY

19-01-2024 Dt: 19-01-2024

ANNEXURE "R-30" *Dy. ch*
*CE*REVENUE DEPARTMENT,
GOVERNMENT OF GUJARAT - GANDHINAGAR.

124

To,
Collector - Kutch.MATTER OF REMOVAL ENCROACHMENT ON SERVICE ROAD FROM VILLAGE
SUBJECT: JUNGI-VANDHIYA TO VEERA & DEMARCATION OF DPT LAND AND STATE
GOVERNMENT LAND.

Sir,

Please find attached herewith a letter dated 2nd January, 2024 received from Chairman, DPT letter by Sanjaykumar Mehta (IFS) bearing DO No. LW/PL/3520/02 dated 02/01/2024 (copy attached) addressed to ACS, Revenue Department on the subject mentioned above and in view of the above, you are requested to take necessary actions as early as possible in concurrence with established policy and the rules.

Yours Faithfully.

Encl.: As Above.

(D.R. Bhammar)

Joint Secretary To Government of Gujarat.

Copy to:Shri Sanjaykumar Mehta (IFS) - Chairman, DPT ...For information.(By E-Mail
chairman@deendayalport.gov.in)V
A*Somendra*
TRUE COPY

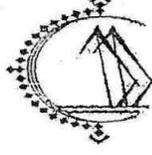
Signature Not Verified

File No: RD/PRC 2-File/15/2024/0949/GT



ANNEXURE - R-31

दीनदयाल पतन प्राधिकरण

DEENDAYAL PORT AUTHORITY
(ISO 9001:2008 & ISO 14001:2004 CERTIFIED PORT)Phone : 02836 - 234121
Fax : 02836 - 235982
www.deendayalport.gov.inOffice of the Dy. Chairman
Administrative Office Building
Gandhidham (Kutch)-370 201

No. LW/PL/3515-III/599

Dated: 04-09-2024

To,
The District Collector,
Office of District Collector,
Seva Sadan Road, Jadavaji Nagar,
Bhuj-Kutch-Gujarat-370 201.

Sub: Matter of removal of encroachment at service road from village Jungi-Vandhiya to Veera & Demarcation of DPT Land and State Government Land.

Ref: (1) Letter No. RD/1407/01/2024 dated 19-01-2024.
(2) DPA' letter No. LW/PL/3015-III/780 dated 06-03-2024.

Sir,

Reference is invited to Joint Secretary, Revenue Department, Government of Gujarat's letter No. RD/1407/01/2024 dated 19-01-2024, wherein, in reference to DPA's letter dated 02-01-2024, it has been requested to your good office to take necessary actions as early as possible in concurrence with established policy and rules.

Thereafter, DPA vide letter No. LW/PL/3015-III/780 dated 06-03-2024 requested to constitute a committee of DPA Officials and officials of State Government Authority i.e. Mamlatdar, Supt. Of Police etc. in order to resolve the issue of encroachment.

In view of above, it is requested to kindly constitute a committee of DPA Officials and officials of State Government Authority i.e. Mamlatdar, Supt. of Police etc. so that, necessary action can be taken for removing the encroachment on salt lands.

Yours faithfully,

Dy. Chairman
Deendayal Port Authority

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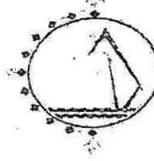
ANNEXURE - R-32

126

दीनदयाल पत्तन प्राधिकरण
DEENDAYAL PORT AUTHORITY

(Ministry of Ports, Shipping & Waterways, Govt. of India)

E-MAIL: - dptlandsection@gmail.com
 MOBILE NO.+ 91 9427251059
 FAX: (02836) 232040.
 WEBSITE:
www.deendayalport.gov.in



Land Section, (Estate
 Division), Room No. 15 &
 16, Administrative Office
 Building, Post Box No. 50,
 Gandhidham-Kutch.
 Pin Code: 370201

No. LW/PL/3594/674

Dated: 05-11-2024

To,
 District Collector and District Magistrate-Kutch,
 Chairman of District Level CRZ Committee,
 Collector Office, Jilla Seva Sadan, College Road
Bhuj-Kutch-370001.

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

Ref: (1) Letter No. GPCB/RO-KUTCH-WEST/CRZ/T-19(I)/258 dated 03-05-2024.
 (2) DPA letter No. LW/PL/3594/460 dated 28/05/2024.
 (3) Letter No. GPCB/RO-KUTCH-WEST/CRZ/T-19(I)/501 dated 02-08-2024.
 (4) DPA letter No. LW/PL/3594/626 dated 23-09-2024
 (5) Minutes of the Meeting of DLCRZ held on 24-09-2024.
 (6) GPCB/RO/Kutch-West/CRZ/T-19(I)/14/722 dated 15/10/2024

Sir,

Your attention is invited to letter No. GPCB/RO/Kutch-West/CRZ/T-19(I)/14/722 dated 15/10/2024 on the above mentioned subject.

In this regard, it is informed that DPA has initiated following actions on the subject matter: -

(a) To cancel all such lease granted for salt manufacturing in the CRZ 1- A area: -

DPA has Cancelled the leases which coming under CRZ-1-A area. Further, following conditions have been incorporated in the lease deed for CRZ compliance by lessee.

"All the required statutory clearances / permissions / approvals (including the Environment & CRZ clearance) from different authorities like Gujarat Pollution Control Board, GoG, Gujarat Coastal Zone Management authorities, GoG. The Ministry of Environment and Forest & Climate Change, GoI etc. will have to be obtained by the lessee.

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Sandhu
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In addition to this, the lessee will also obtain all the other statutory clearance from various departments under the various acts being in force as applicable from time to time. The lessor shall not be responsible for any loss / damages etc. occurring, if permission / approval / clearance of the authorities including Ministry of Shipping, Government of India are not granted. The lessor may facilitate such permission to the extent possible but would not be responsible for obtaining permission. No construction activity shall be carried out by the lessee without any statutory clearances. "

(b) Regarding removal of encroachment and destruction of mangroves etc. :-

Deendayal Port Authority, Kandla is in possession of land stretching about 344.4 sq. miles. The boundary of water front area on the North and western side stretches from Village Vira to Jungi is about 110 kms long. Further, Kandla Port Water Front land from Village Jungi to Village Veera extends in a length of about 110 kms and due to acute shortage of staff and more particularly due to inaccessibility by vehicle to some of these areas, it is practically not possible for the DPA staff to monitor these lands on regular basis.

Further, due to lack of demarcation between DPA Land and State Govt. land, where is unauthorized occupation of DPA land by the Salt land lessees at various areas, including overlapping, encroachment. Allotment of DPA land by State Authorities have also been noticed. Due to said encroachment, there are multiple violations of law including environmental norms resulting in loss of revenue to DPA. Based on DPA's past communications with State Govt. Authorities, the DILR (Bhuj) had commenced the work of Survey and Demarcation of DPA land on 9th January, 2019. DILR, Bhuj has provided measurement sheet of all 19 Villages in August, 2023.

The above issue was discussed during the meeting with Chief Secretary on 24-08-2023 with DPA officials. It was informed by DPA that till the ownership issue is not finalized, further allotment may be stopped by the State Govt. Authorities. It is also apprised that removal of illegal encroachment and eviction of unauthorized occupants from DPA land can be removed only with support of staff from State Govt. Authorities and all necessary support will be provided by DPA.

Further, the above issue was also discussed with Addl. Chief Secretary (Revenue) on 22/12/2023 at Gandhinagar and it was apprised that Board of DPA had approved Block Estimate amounting to Rs.97.89 Crores for the work of "Construction of Service Road from Village Jungi/Vandhiya to Village Veera for Demarcation for Safe Guard of DPT (Now DPA) Land Bifurcating State Government Land in Phased manner. DPA has also planned to construct the Service Road parallel to line bifurcating the DPA Land with State Govt. Land for which assistance of State Govt. authorities shall be required for removal of such encroachments.

The Joint Secretary, Revenue Department, Government of Gujarat's vide letter No. RD/1407/01/2024 dated 19-01-2024 has been requested to your good office to take necessary actions as early as possible in concurrence with established policy and rules, wherein there is also reference of DPA' letter date 02/01/2024. Thereafter, DPA vide letter No. LW/PL/3015-III/780 dated 06-03-2024 has requested to constitute a committee of DPA Officials and officials of State Government Authority i.e. Mamlatdar, Supt. Of Police etc., so that, necessary action can be taken for removal of the encroachment on salt lands. A copies of above letters are enclosed herewith for ready references.

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However, Committee of DPA Officials and officials of State Government Authority i.e. Mamlatdar, Supt. Of Police etc. has not constituted till date. Hence, it is requested to constitute a Committee for fruitful action

(C) **To initiate mangroves restoration procedure of the affected area: -**

In this connection, it is stated in compliance to Hon'ble National Green Tribunal's Order in E.A. no. 12/2020 In OA No. 111/2018 and as per the directions issued by the Director (Environment) & Member Secretary, GCZMA dated 5.11.2020 & subsequent letter of Dy. Conservator & Forest, Bhuj, DPA has deposited amount of Rs.2,42,64,200 for (1) Removing of Soil Bund; 4240 mt. (2) restoration of Mangrove Plantation 350.76 Ha (3 x 116.92 Ha) area, w.r.t. area under jurisdiction of DPA for bund removal and mangrove plantation activities. Accordingly, DPA has complied with the Hon'ble NGT order dated 16/9/2020.

Further, an amount of Rs. 15,10,000/- has also been deposited in reference to letter dated 13-10-2023 issued by the forest department, Bhuj-Kutch. **(copy enclosed at Annexure-II).**

(d) **To create effective mechanism for complying with the provisions of CRZ Notification 2019, within DPT (now DPA area).**

It is respectfully submitted that Deendayal Port Authority is equally concerned with the protection of Environment including of coastal area and have made all efforts to ensure that there is minimum impact on the environment by any of the activities that may be undertaken by Deendayal Port Authority.

Furthermore, Deendayal Port has always taken proactive steps on Environmental issues viz Mangrove Plantation, Green Belt Development, Oil Spill Management Plan, Solid waste Management etc.

As far as Mangrove Plantation is concerned, Deendayal Port Authority has carried out mangrove plantation in an area of 1600 ha. Since 2005 through various government agencies viz Gujarat Ecology Commission, State Forest Department. Detail of the same is as mentioned as under:

Sr.No.	Mangrove Plantation	Year
1.	20 Hectares through GUIDE, Bhuj	2005-2006
2.	50 Hectares by Patel Construction	2008-2009
3.	100 Hectares By GEC	2010-2011
4.	200 Hectares by Forest Department GoG	2011-2012
5.	300 Hectares by Forest Department GoG	2012-2013
6.	330 Hectares by Forest Department GoG	2013-2014
7.	300 Hectares by Forest Department GoG	2015-2017
8.	100 hectares by GEC	2018-2020
9.	100 hectares by GEC	2021-2022
10.	100 hectares by GEC	2022-2023
Total 1600 Hectares		

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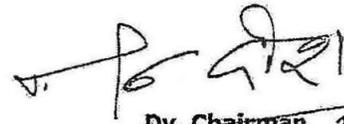
Samir
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In addition to all above, DPA is in process to carry out mangrove plantation in an area of 50 ha through GUIDE, Bhuj for the compliance of EC condition.

DPA is already having a full-fledged Environmental Management Cell to maintain healthy Environment in the-Port.

In view of above, It is requested to constitute a committee of DPA Officials and officials of State Government Authority i.e. Mamlatdar, Supt. of Police etc., so that, further necessary action can be taken for removal of the encroachment on salt lands.

Yours faithfully,



Dy. Chairman 05/11
DEENDAYAL PORT AUTHORITY

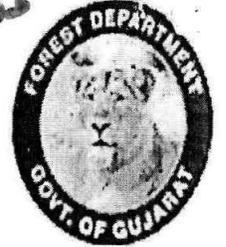
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320 ANNEXURE-R-33
પરિક્ષેત્ર વન અધિકારીશ્રી ની કચેરી

ભચાઉ નોર્મલ રેન્જ

130



કસ્ટમ ચેક પોસ્ટની સામે અંધશાળાની બાજુમાં

ભચાઉ-કચ્છ

ટેલીફોન નંબર -02239-228088

Gmail : rfobhachanormal@gmail.com

ક્રમાંક :- અ/આક્ષેપ/ફ.નં.૫૬/૨૦૨૪ /સને.૨૦૨૪-૨૫ ભચાઉ-કચ્છ તા.૦૩/૧૨/૨૦૨૪

પ્રતિ,

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

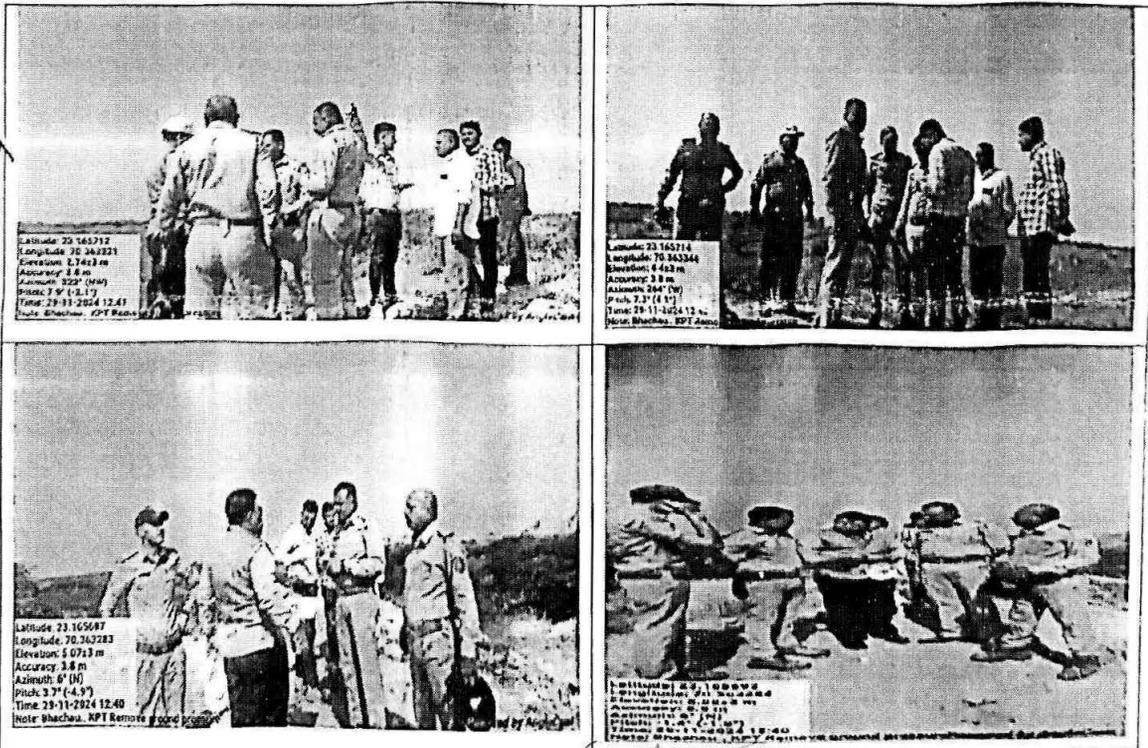
by. P. M. Chavhan

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

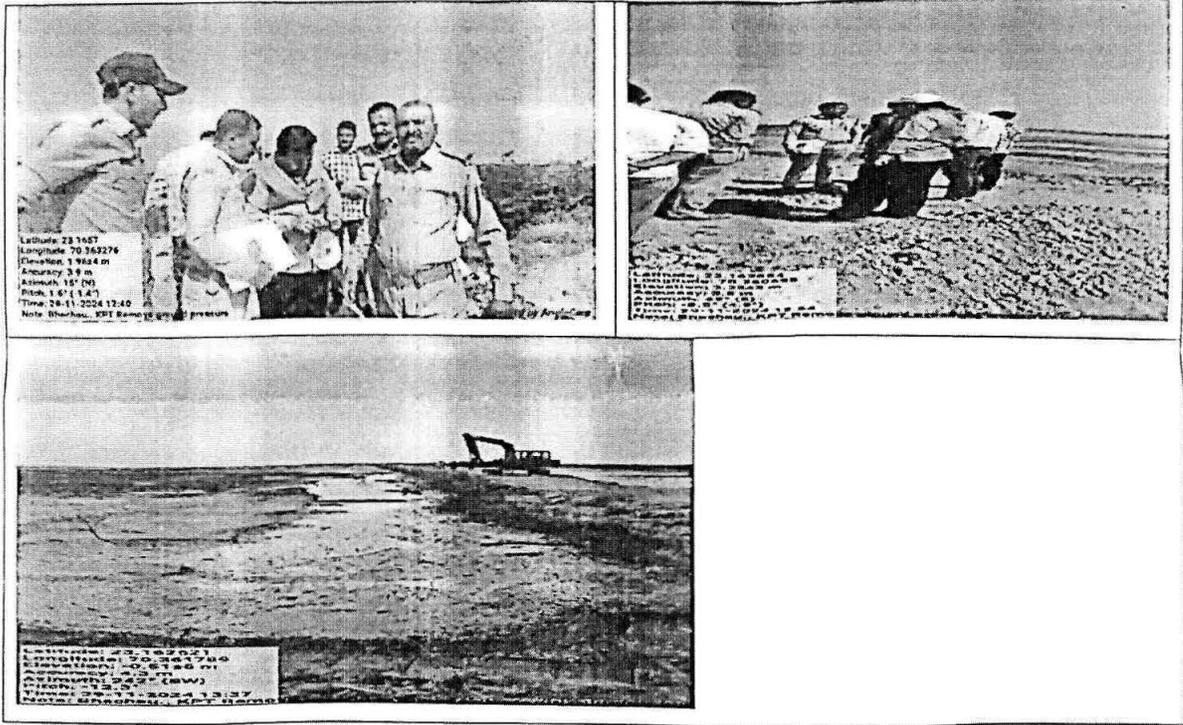
સાદર ઉપર્યુક્ત વિષય અન્વયે નિવેદન કે, તા.૨૭/૧૧/૨૦૨૪ ના રોજ DPT ખાતે ગુજરાત પ્રદુષણ નિયંત્રણ બોર્ડના રીજીયોનલ ઓફિસરશ્રીના અધ્યક્ષ સ્થાને યોજાયેલ સંયુક્ત મીટીંગમાં અમો પ.વ.અ.ભચાઉનાઓ ઉપસ્થિત રહેલ.મીટીંગમાં થયેલ ચર્ચા અંત લેવાયેલ નિર્ણય મુજબ દીનદયાળ પોર્ટ ટ્રસ્ટ હસ્તકની દરિયાઈ કિક વિસ્તારની જમીનમાં મેન્ગુવ / 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 ભચાઉ કિક 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

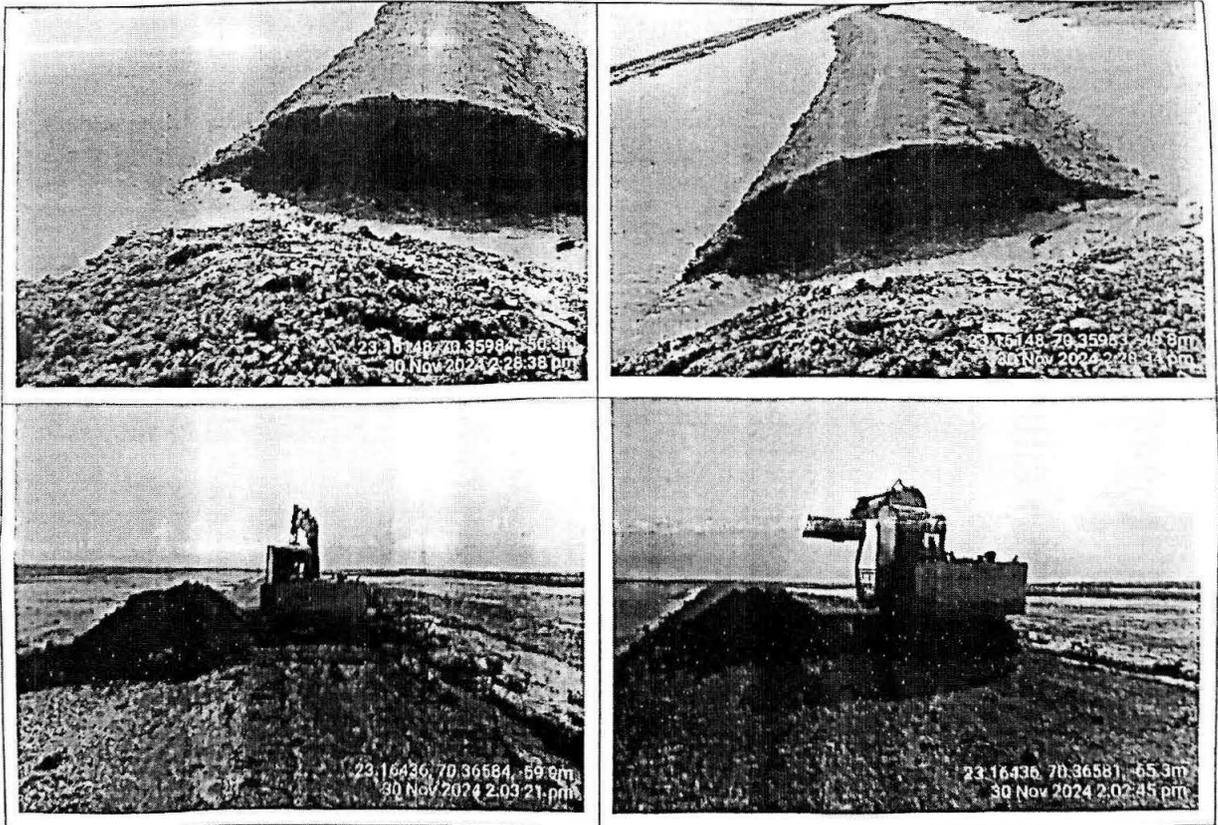
- (૧) શ્રી હર્ષેલ પટેલ - મદદનીશ પર્યાવરણ ઈજનેર GPCB પૂર્વ કચ્છ ગાંધીધામ
- (૨) શ્રી મનોજ ટી.ગોહેલ - કાર્યપાલક ઈજનેર (સિવિલ) DPT ગાંધીધામ
- (૩) શ્રી એ.વી.ભાટિયા - વનપાલ ભચાઉ
- (૪) શ્રી આર.વી.મેરીયા - વનપાલ ભચાઉ
- (૫) શ્રી એમ.વી.કોલી - વનપાલ શિકારપુર
- (૬) શ્રી એ.એચ ચૌધરી - વનપાલ જંગી



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



Sanjeev
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આમ, ભચાઉ દરિયાઈ કિંક વિસ્તાર કે જે દીનદયાળ પોર્ટ ઓથોરીટીની માલિકીની જમીન વિસ્તાર પુનઃસામાજિક તત્વો દ્વારા ગેરકાયદેસર માટીપાળા બનેલ હોવાનું સ્થળ પર જણાયેલ છે. આ બનેલ માટીપાળાના કારણે મેન્ગ્રુવ વાળા વિસ્તારમાં દરિયાઈ પાણી અવરોધાયેલ હોઈ, જેના કારણે મેન્ગ્રુવ 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 મેન્ગ્રુવ વાળા વિસ્તારમાં દરિયાઈ પાણી અવરોધના માટીપાળા બની જવાથી મેન્ગ્રુવ વાળો વિસ્તાર સુકાઈ રહેલ જણાઈ આવે છે. જેથી આ કામે વધુ પ્રમાણમાં મશીનરી અને સ્ટાફ દ્વારા ડ્રાઈવ રાખવામાં આવે તો સદર વિસ્તારમાં મેન્ગ્રુવ 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 કોમ્બીન ગ્રાથ 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) પરિશ્ચેત્ર વન અધિકારી
ભચાઉ શેત્રિય 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.


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To,
Deputy conservator of
Forest, Kutch East
Bhuj-kutch.

Subject: - Mangrove deforestation and illegal land grabbing in the sea creek area

Regard statement on the above subject that, we Circle Forest Officer Bhachau, were present in the joint meeting held at DPT on 27/11/2024 under the chairmanship of the Regional Officer of Gujarat Pollution Control Board. As per the decision taken at the end of the discussion in the meeting, it was decided to take up the work from 29/11/2024 regarding the removal of mangrove/chain and repair of illegal earthworks in the land of the sea creek area owned by Deendayal Port Trust. In which the work will be done by the joint staff of Forest Department, DPT and GPCB and the DPT will have to arrange the necessary mechanical machinery / vehicles for this work as per the requirement. Accordingly, it was instructed that the staff here, along with the above mentioned team, along with the following officers / employees, will take up the work of breaking the illegally constructed Earth-bund in the land area owned by Deendayal Port Trust in Bhachau Creek area. In which the work was carried out at the location as per the photograph below.

➤ Employees / Officers present on 29/11/2024 and work undertaken

- (1) Shri Harshal Patel - Assistant Environmental Engineer GPCB East Kutch Gandhidham.
- (2) Shri Manoj T. Gohel - Executive Engineer (Civil) DPT Gandhidham
- (3) Shri A.V. Bhatia - Forester Bhachau
- (4) Shri R.V. Meriya - Forester Bhachau
- (5) Shri M.V. Koli - Forester Shikarpur
- (6) Shri A.H. Chaudhary - Forester Jangi

Gamanjani
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➤ Employees / Officers present on 30/11/2024 and work undertaken

- (1) Shri Harshal Patel - Assistant Environmental Engineer GPCB East Kutch Gandhidham
- (2) Shri Manoj T. Gohel - Executive Engineer (Civil) DPT Gandhidham
- (3) Shri S.B. Jetha - Incharge S.V.A. Bhachau
- (4) Shri A.V. Bhatia - Forester Bhachau

Thus, it has been found on the spot that illegal earth bund has been built by anti-social elements in the Bhachau coastal creek area, which is owned by Deendayal Port Authority. Due to this earth bund, the flow of seawater into the mangrove area has been obstructed, which appears to have adverse effect on the mangrove region. The fact shown in the photograph of the work carried out over the past two days and along with an inspection of the surrounding area, indicate that the mangrove area is drying up due to the formation of earth bund blocking the sea water for approximate 1 km or more mangrove region area. Therefore, if this work is carried out with greater amount of machinery and staff through a drive, the mangroves in the said area can be saved.

We believe that it will be possible to assess the earth bund in this area with more time and more mechanical machinery are used to conduct joint combing with the officers/employees of the area. It is a good request to you to take appropriate action on the matter as soon as it is brought to your attention.

(S.B. Jetha)
(I/C) Circle Forest Officer
Bhachau Field Range

Kind regard, copy send.

- (1) Chief Engineer, Land Section, DPT Gandhidham-Kutch, please inform and take necessary action.
- (2) Provincial Officer, Bhachau-Kutch, please inform.
- (3) Regional Officer, GPCB Kutch, East Gandhidham, please inform.
- (4) Regional Officer, GPCB Kutch, West Bhuj, please inform.
- (5) Mamlatdar, Bhachau-Kutch, please inform.

Samdar
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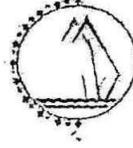
ANNEXURE "R-34"

दीनदयाल पत्तन प्राधिकरण
DEENDAYAL PORT AUTHORITY
(Ministry of Ports, Shipping & Waterways, Govt. of India)

An ISO 9001:2015 & ISO 14001:2015 Certified Port

e-mail: kenroadskpt@gmail.comwebsite: www.deendayalport.gov.in

Mobile No.: 9679511129



अभिष्ठापनी अभियंता का कार्यालय (P)

Office of the Executive Engineer (P)

Office: Pochha No. 111

संयंत्रसमितीक भवन (Control Room) B-1000

No.RW/WK/

Dated 07/12/2024

To
The Superintendent of Police,
East Kutch, Office of SP,
Gandhidham, Kutch

Sub: - Complaint regarding unauthorised occupation, Encroachment and trespassing including illegal Excavation of DPA Land at village Bhachau to Jangi. And provide Police bandobast for removing of bunds, paras to comply direction of Hon'ble collector and district magistrate of DLCRZ (District Land Coastal Regulation Zone) matter.

Respected Sir,

It is to inform that as directed by Hon'ble collector and district magistrate of Kutch for DLCRZ (District Land Coastal Regulation Zone) matter for compliance to Hon'ble National Green Tribunal.

The Possession of this vacant land at village Bhachau to Jangi (erstwhile Deendayal Port Trust) are being maintained & monitored by the officials and Mangrove Chowkidars of this office. These plots/areas include vacant lands of Deendayal Port Authority (DPA).

During the inspection of DPA land at above mentioned sites by the officials/staff of Land section, DPA it was observed that some miscreants of nearby area had deployed their Machinery & Equipment including Hitachi's, Tractors etc., on the DPA Land for an attempt of encroachment & seizure of DPA Land. These persons had started the work at site and are in the process of unauthorized occupying the vacant/allotted DPA land.

Also, it is noticed that the miscreants have attempted to obstruct the flow of natural creeks such as kandla creek its subsidiary streams and tried to destroy the mangrove plantation in the surrounding area, thus violating Environment Norms and CRZ regulations

Samodan
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It is enquired that these un-authorized activities and illegal movement are collectively found in progress on even at odd hours and are carried out by the local miscreants and hooligans of nearby villages under salt pans area for the purpose of re developing salt land. Moreover, during the course of inspection, it is found that presently construction of approach roads and formation of Earthen Bunds is being carried out by the miscreants in and around the salt land area.

It is a matter of concern that the miscreants & local hooligans / henchmen, who have encroached upon DPA Land are blocking the Roads/approaches and not vacated land at Bhachau to Jangi coastal area.

In the context of the subject matter, as directed by Hon'ble collector and district magistrate of Kutch for DLCRZ (District Land Coastal Regulation Zone) matter for compliance to Hon'ble National Green Tribunal, also DPA under Ministry of Ports, Shipping and Waterways, Govt. of India, New Delhi, too is strictly monitoring the Issues of Encroachment on DPA land with taking following actions.

- (A) 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 water in commenced without obtaining prior clearance from the competent authority are in violation of the provision of the CRZ notification.
- (B) Remove all the bunds which are blocking the creeks, stopping the construction of bunds of any kind anywhere within CRZ area.

Accordingly, it would be highly appreciated. If this issue is investigated and needful action is initiated against the Trespassers' in the matter, as per the Rules/Section/Clauses of IPC, on top priority and require police bandobast for removal of encroachment and during the above actions from land of Deendayal Port Authority at Bhachau to Jangi Coastal area.

An early action will be highly solicited in this sensitive matter, to salvage the DPA and eliminate re- occurrence of such incident.

Yours Faithfully

[Signature] 07/12/24
Executive Engineer (Roads)
Deendayal Port Authority

Copy To:

1. The Collector & District Magistrate, Bhuj (Kutch)
2. The Dy. Collector & S.D.M. (Pranth Adhikari), Bhachau
3. Dy.SP Bhachau
4. The Mamaldar & Executive Magistrate, Bhachau
5. Police inspector Bhachau
6. OSD to Chairman - for kind information Please.
7. Sr PS to Dy. Chairman - for kind information Please
8. Chief Engineer - for kind information Please.
9. Dy. Chief Engineer - for kind information Please.
10. Regional officer- GPCB.
11. R.F.O Bhachau

Sameer
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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-kute@gujarat.gov.in • xgn site : gpcbgn.gujarat.gov.in

ANNEXURE "R-35"

137

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 Vjihoda 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.

Uyys
By CE NLS
for NLS
3/2

मुख्य अभियंता का कार्यालय
दीनदयाल पत्तन प्राधिकरण
आवक संख्या: _____

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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.

Ganesh
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Minutes of the Meeting of the District CRZ Level Committee (DLCRZ) to assist the GCZMA for enforcement and monitoring of the Coastal Regulation Zone Notification, 2011, held on date 29/01/2025 at 03:30 hrs under the chairmanship of District Collector and District Magistrate, Kutch.

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 constituted for District Kutch vide order no. GPCB/CRZ/310/2015 dated 01.05.2015. DLCRZ Committee meetings are conducted regularly in matter of representations/complaint received about violation of CRZ notification. The meeting of DLCRZ committee was held on 29.01.2025, 03.30 pm under the chairmanship of District Collector and District Magistrate, Kutch. List of members attended the meeting is attached as Annexure-A. Discussion of agenda and decision taken in the meeting for each agenda is mentioned herewith;

Sr. No.	Agenda of meeting	Detail	Action decided by the Committee
1.	a) Further action on representation received from Kutch Camel Breeders Association & Deendayal Port Authority (DPA) regarding destruction of mangroves, creeks and violation of NGT order in Village: Vondh & Bhachau, Ta: Bhachau (Same matter represented in CAG Report no. 3 – point 3.4)	Forest Dept. gave presentation on work completed w.r.t mangrove plantation in reference to Hon'ble NGT order in O.A. No. 111/2018 & E.A. No. 12/2020. Letters were submitted by DCF, Kutch (East) regarding Sandesh newspaper cutting. Letter was issued to Chairman, DPT vide no. GPCB/RO/Kutch-West/CRZ/T-19(I)/14/501 dated 02.08.2024 to submit CAG audit compliance status report.	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.
	b) Representation received from Insaf Sangathan Kutch dated 12.02.2024 regarding non-removal of encroachment of land by DPT in the area from Kandla to Chirai	Letter received from DPA dated 23.09.2024 stating that DPA has removed some bunds which were disturbing the natural tidal flow of water.	Police department to be instructed to provide their support for removal of illegal encroachment.
	c) Representation received by RO, Kutch (East) regarding complaint	Letter was issued to DCF, Kutch (E) vide no.	GPCB, Forest and DPA shall jointly carry out activity to remove

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<p>from Mr. Neel Vijhoda regarding destruction of mangroves from Surajbari to Chirai</p> <p>d) Letter received from DoEF dated 26.12.2023 regarding no action taken by DLC for violation cases mentioned in Report No-3 by CAG and requested to initiate legal action against the responsible firm/person</p> <p>e) Sandesh newspaper cutting dated 20.07.2024 regarding destruction of mangroves in Hadkiya creek, Kalo Dholo and Shawala area</p> <p>f) Further action on representation received from Department of Environment and Forest w.r.t CAG Report mentioning mangrove destruction in Ta: Bhachau Point no. 3.4 of CAG Report)</p>	<p>GPCB/RO/Kutch-West/CRZ/T-19(I)/14/473 dated 25.09.2024 to submit action taken report regarding destruction of mangroves in Hadkiya creek, Kalo Dholo and Shawala area</p> <p>Letter was issued to chief engineer, DPT and DFC (E) vide no. GPCB/RO/Kutch-West/CRZ/T-19(I)/14/687 dated 04.10.2024 to submit action taken report</p> <p>Letter was issued to Chairman, DPT vide no. GPCB/RO/Kutch-West/CRZ/T-19(I)/14/722 dated 15.10.2024 to submit CAG audit compliance status report.</p>	<p>encroachment and prevent further distraction as decided in previous meeting</p>
<p>2. Further action on representation received from Department of Environment and Forest w.r.t CAG Report mentioning illegal construction in Ta: Mandvi (Point no. 3.11 of CAG Report)</p>	<p>Letter was issued to Managing Director, TCGL, vide no. GPCB/RO/Kutch-West/CRZ/T-19(I)/18/500 dated 02.08.2024. No action taken report received by the committee.</p> <p>Letter was issued to secretary, TCGL, vide no.</p>	<p>As per committee's decision, reminder letter to be issued to Hon'ble Principal Secretary, Tourism Department to submit compliance of CAG report against the non-compliance observed in the matter of M/s. TCGL Resort</p>

	M/s. DP World in Vill: Tuna-Rampar, Ta: Anjar	Letter was issued in the said matter to DPA vide no. GPCB/RO/Kutch-West/CRZ/T-19 (I)/18/409 dated 08.07.2024 for clarification from DPA regarding said representation. No report received by the committee.	
5.	18.03.2024 regarding mangrove destruction and violation of CRZ by DPA	<p>DPA port area in the Khori Creek area starting from DPA Jetty no 16 to Container Terminal (A6T Infra godown) has destroyed mangroves by filling the soil/ other materials and constructing the wall over it by reclaiming the CRZ1A and 1B areas and has dumped construction waste.</p> <p>Letter was issued in the said matter to DPA vide no. GPCB/RO/Kutch-West/CRZ/T-19 (I)/18/409 dated 08.07.2024 for clarification from DPA regarding said representation. No report received by the committee.</p>	Reminder letter to be issued DPA to submit action taken report to committee within 15 days.
6.	Representation received from Shri Ibrahim A Kadar Turk dated 26.04.2024 regarding illegal construction of M/s. Sea leaf Resort and violation of CRZ notification in Vill:Maska, Ta: Mandvi	<p>Illegal construction of Sea leaf Resort without prior CRZ clearance and unit has constructed in NDZ area. As per representation, construction area seems more than 20,000 sq.m which might attract EC.</p> <p>Inspection conducted by GPCB, Kutch (West) and Town Planning Officer on 18.06.2024. Following observations were made:</p> <p>1) Resort has constructed 500 sq.m of administrative building and 01 no. of retaining wall in No Development Zone (NDZ) area. Some portion of villa is also observed in NDZ.</p>	SDM Mundra shall remove the encroachment in No Development Zone (NDZ) and submit action taken report to the committee within 15 days.

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		GPCB/RO/Kutch-West/CRZ/T-19 (I)/18/721 dated 15.10.2024. No action taken report received by the committee	
3.	Complaint vide e-mail dated 30.09.2024 regarding complaint by Akhil Kutch Vagher Machimar Seva Trust related to destruction of mangroves	<p>As per complaint, unit named M/s. Jinam Company Radheshyam Handling, Vill: Tuna, Ta: Anjar has destructed mangrove plantation in 300 acres of land from Sea Bridge to Creek Bridge and have made salt bunds in the said area. They have destructed mangroves with the help of JCB, Hitachi affecting the livelihood of sea living organisms & fishermen. Complainer has submitted GPS images showing the destructed mangrove area.</p> <p>Joint inspection is carried out dated 16.10.2024 and inspection report states:</p> <ol style="list-style-type: none"> 1) Mangroves are observed dead near salt pan bunds 2) It seems that mangroves have been destructed due to construction of bunds 3) Mentioned land falls under DPA <p>Letter was issued to DCF (East) and GPCB RO (East) vide letter no:- GPCB/RO-KUTCH-WEST/CRZ/T-19 (I)/24/702 at dated 11/10/2024 for removal of bunds and forfeit materials</p>	DCF Kutch (E) and GPCB Kutch (E) and DPA jointly take action for bund removal and material/assets forfeit and submit action taken report within 15 days.
4.	Representation received from Shri Ilyas Alibhai Juneja dated 16.04.2024 regarding destruction of forest and mangroves by unit	Construction of roads and blockage of creek by DP World, Vill: Tuna-Rampar, Ta: Anjar in CRZ area affecting ecology.	Reminder letter to be issued DPA to submit action taken report to committee within 15 days.

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		<p>2) Retaining wall which is under construction was observed as encroachment.</p> <p>Letter issued to SDM, Mundra dated 11.07.2024 for removal of encroachments and unauthorized structures violating CRZ Notification. Show Cause Notice issued to Sea Leaf Resort dated 19.07.2024.</p> <p>Letter was issued to SDM, vide no. GPCB/RO/Kutch-West/CRZ/T-19 (D)/18/22/689 dated 04.10.2024 for Mundra to submit compliance status report in said matter.</p>	
7.	<p>a) Representation received from Shri Usangani Sherasiya regarding violation of CRZ norms, destruction of mangroves and obstruction of tide flow in Village: Luni, Ta: Mundra</p> <p>b) Representation received from Brackish Water Research Centre regarding 1.25 km construction of illegal bunds, destruction of CRZ land, mangroves and creek in Village: Luni, Ta: Mundra.</p> <p>c) Representation received from Shri Reliya Altaf Junas regarding illegal cutting of mangroves, construction of embankments and</p>	<p>As per inspection report dated 25.06.2022, following observations has been made for agenda a&b:</p> <ol style="list-style-type: none"> 1) Soil bund (@ 10 m wide x @ 691 m length – North to South and 690 m length West to East) has been made which includes salt kyari. Mangroves are observed towards West side. 2) As per DILR, soil bunds in @ 50 hectares have been made. The land has been allotted to 05 applicants consisting of 05 plots. 3) As per Fisheries Dept., as per prima facie, @ 1.25 km bunds has laid to obstruct in flow of seawater thereby affecting fishermen financially. 4) As per GPCB, CRZ applicability can be defined only after superimposing defined area onto approved CZMP map. 5) Mentioned land is @ 200 metres away from 	<p>SDM-Mundra and GPCB Kutch (E) shall take action and submit action taken report to committee within 15 days.</p>

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	<p>bunds in CRZ area of Village: Luni, Ta: Mundra by salt company</p>	<p>Lunibet Reserve Forest Area. Representation received from Reliya Altaf Junas is as follows:</p> <ul style="list-style-type: none"> • Illegal clearing of mangroves & construction of bunds in CRZ-IA area by Vijay Salt Works • Construction of bunds has encroached inter-tidal area and restricted access to fishermen community to inter-tidal area and sea where fishing takes place <p>Bunds have adversely affected Garudia Bandar, which is next to lease area and used by fishermen for fishing activity.</p> <p>Letter was issued in the said matter vide no. GPCB/RO/Kutch-West/CRZ/T-19 (I)/410 dated 08.07.2024 to SDM-Mundra for clearing illegal encroachments after verification of illegal possession and GPCB to file legal prosecution, if CRZ norms are violated. No action taken report received by the committee.</p>	
8.	<p>Further action on representation received from RO, Kutch (East) vide e-mail dated 12.04.2023 w.r.t complaint received from Mr. Siddiq Osman Sama regarding illegal construction of bunds obstructing flow in creeks and Banas River</p>	<p>Construction of bunds, obstruction of flow in Sama, Katiya, Bhatti creek & illegal construction in Surajbari & Banas River area, Ta: Bhachau creating obstruction in flow of water.</p> <p>As per the committee's decision dated 24.05.2023 01.11.2023 & 11.06.2024, Mamlatdar, Bhachau was required to carry out inspection. Visit still pending</p>	<p>Reminder letter to be issued Mamlatdar, Bhachau and GPCB (E) to submit action taken report to committee within 15 days.</p>

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		and report yet not submitted. Letter was issued to Mamlatdar, Bhachau and GPCB (E) vide no. GPCB/RO/Kutch-West/CRZ/T-19(I)/24/58 dated 25.01.2025 for to submit compliance status report in said matter.	
9.	Further action on representation received by RO, Kutch (East) regarding Complaint received from Mr. Hasam Aamad Sotha regarding destruction of mangroves in Virasim Sea, Ta: Anjar	Encroachment by salt unit of Mr. Sama Pancha Aayar & Mr. Khima Pancha Aayar in fishing area of fishermen, cutting & destruction of mangroves, affecting fish lives, illegal filling in sea & damaging sea life in Virasim Sea, Ta: Anjar As per the committee's decision dated 24.05.2023 and 01.11.2023, SDM, Anjar was required to carry out inspection. As per report, DILR was required to verify the encroachment made by Samaji Pacha Aayar and Khima Pancha Aayar Salt lease Virasim Sea, Ta: Anjar. Report yet not received from DILR. Letter was issued to DILR vide no. GPCB/RO/Kutch-West/CRZ/T-19(I)/08/688 dated 04.10.2024 for submit compliance status report in said matter.	SDM Anjar should verify the encroachment and take action accordingly
10.	E-mail received from DoEF regarding representation received from Altaf Reliya in context of backfilling of Sea by Adani Port Authority, Ta: Mundra	Backfilling of sea by Adani Port Authority, Ta: Mundra. GPCB, Regional Office, Kutch (East) instructed to carry out inspection but report was not received. Letter received from GPCB Kutch (E) vide no. જીપીસીબી/પ્રાં.ક.કચ(પુ)ડીએલસીઆરએસ/3651	GPCB Kutch (E) and Mamlatdar, Mundra shall submit action taken report to committee within 15 days

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		dated 19.12.2024 for inspection to DLCRZ comity member for this place	
11.	Representation received from DoEF dated 06.03.2024 regarding complaint received from Shri Naran Gadhvi regarding stopping of work of oil storage tanks constructed by IOCL without EC/CRZ clearance in Ta: Mundra	<p>Letter received from DoEF regarding stopping of work of oil storage tanks constructed by IOCL without EC/CRZ clearance in Ta: Mundra</p> <p>As per the committee's decision dated 11.06.2024, a joint committee was constituted for verification of above representation consisting of Mamlatdar-Mundra, GPCB Regional Office, (Kutch - East) and Port Officer, GMB to carry out inspection. No inspection report received by the committee.</p> <p>Letter was issued to Mamlatdar, Mundra and Port Officer vide no. GPCB/RO/Kutch-West/CRZ/T-19(I)/407 dated 08.07.2024 for submit compliance status report in said matter.</p>	<p>Inspection report submitted on 27/09/2024 by Mamlatdar Mundra and Gujarat maritime board.</p> <p>As no remarks related to CRZ violation in report.</p> <p>Para wise Compliance shall be asks from IOCL.</p>
GPCB Regional office should write reminder letter to all department, whose action taken report pending in their respective jurisdictions in every 15 days			

The meeting ended with vote of thanks to the chair.

Place: Bhuj-Kutch

Date: 29/01/2025



Regional Officer

&

Member Secretary of DLCRZ Committee



District Collector and District Magistrate,

Kutch

Chairman of DLCRZ Committee

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DETAILS OF SALT LAND ALLOTTED TO VARIOUS LESSEES					
SR .NO.	NAME OF THE PARTY	LAND ACRES	LEASE PERIOD		LOCATION
1	GANAPATI SALT WORKS, GANDHIDHAM	50	30-Dec-10	29-Dec-40	Between Village Mithirohar and Padana
2	NEELKANTH COAL MFG. PVT. LTD, GANDHIDHAM	50	30-Dec-10	29-Dec-40	Between Village Mithirohar and Padana
3	NEELKANTH COAL MFG. PVT. LTD, GANDHIDHAM	50	30-Dec-10	29-Dec-40	Between Village Mithirohar and Padana
4	NEELKANTH COAL MFG. PVT. LTD, GANDHIDHAM	50	30-Dec-10	29-Dec-40	Between Village Mithirohar and Padana
5	AJANTA PROPERTIES, GANDHIDHAM	100	30-Dec-10	29-Dec-40	Between Village Mithirohar and Padana
6	NEELKANTH ENTERPRISE	100	30-Dec-10	29-Dec-40	Between Village Mithirohar and Padana
7	NEELKANTH ENTERPRISE	100	30-Dec-10	29-Dec-40	Between Village Mithirohar and Padana
8	NEELKANTH ENTERPRISE	100	30-Dec-10	29-Dec-40	Between Village Mithirohar and Padana
9	RANKERS SALT WORKS, GANDHIDHAM	100	30-Dec-10	29-Dec-40	Between Village Mithirohar and Padana
10	NEELKANTH COAL MFG. PVT. LTD, GANDHIDHAM	50	30-Dec-10	29-Dec-40	Between Village Mithirohar and Padana
11	KUTCH SALT & ALLIED INDUSTRIES LTD, KANDLA	3891.00	9-Feb-17	8-Feb-27	Kandla
12	NEW KANDLA SALT & CHEMICAL CO. P. LTD	2246.00	31-Jan-17	30-Jan-27	Kandla
13	OSWAL EXTRUSION LIMITED	409.00	18-Feb-17	17-Feb-27	Between Village Mithirohar and Padana
14	SHREE CHAMUNDA SALT WORKS	50.00	18-Mar-17	17-Mar-47	Between Village Padana and Chirai
15	SHREE RAM ENTERPRISE.	100	12-Feb-19	11-Feb-49	Between Village Padana and Chirai
16	SHREE RAM TRADING CO.	100	12-Feb-19	11-Feb-49	Between Village Padana and Chirai
17	SHREE RAM TRADING CO.	50	12-Feb-19	11-Feb-49	Between Village Padana and Chirai
18	SHREE RAM ENTERPRISE.	50	12-Feb-19	11-Feb-49	Between Village Padana and Chirai
19	SHREE RAM ENTERPRISE.	50	12-Feb-19	11-Feb-49	Between Village Padana and Chirai
20	SHREE RAM ENTERPRISE.	50	12-Feb-19	11-Feb-49	Between Village Padana and Chirai
21	SHAMBHU RAMJI AHIR.	100	7-Mar-19	6-Mar-49	Between Village Padana and Chirai
22	TUZ CHEM PRIVATE LIMITED.	100	7-Mar-19	6-Mar-49	Between Village Padana and Chirai
23	TUZ CHEM PRIVATE LIMITED.	100	7-Mar-19	6-Mar-49	Between Village Padana and Chirai
24	MODERN SALT FARMS(EX. LESSEE Urvakunj Nicotine Ltd.)	275	17-Jun-19	16-Jun-49	Between Village Mithirohar and Padana
25	KOTESHWAR INDUSTRIES (Western Chemical)	300	17-Jun-19	16-Jun-49	Between Village Mithirohar and Padana
26	M/s. Shree Kandla Salt Ind.	272	20-Jun-19	19-Jun-49	Between Kandla and Village Bhachau
27	AARAV SALT AND CHEMICAL PVT. LTD	467	24-Jun-19	23-Jun-49	Between Kandla and Village Bhachau
28	AARAV SALT AND CHEMICAL PVT. LTD	1534	24-Jun-19	23-Jun-49	Between Kandla and Village Bhachau
29	MERAMAN ENTERPRISE	10	30-Nov-19	29-Nov-49	Village Padana
30	ASHVIN NARAN KANGAD	10	30-Nov-19	29-Nov-49	Village Padana
31	MAYUR ROADWAYS	10	30-Nov-19	29-Nov-49	Village Padana
32	MAYUR ROADWAYS	10	30-Nov-19	29-Nov-49	Village Padana
33	MAYUR ROADWAYS	10	30-Nov-19	29-Nov-49	Village Padana

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34	SHANKAR TRANSPORT	10	30-Nov-19	29-Nov-49	Village Padana
35	SHANKAR TRANSPORT	10	30-Nov-19	29-Nov-49	Village Padana
36	MERAMAN ENTERPRISE	10	30-Nov-19	29-Nov-49	Village Padana
37	MERAMAN ENTERPRISE	10	30-Nov-19	29-Nov-49	Village Padana
38	MERAMAN ENTERPRISE	10	30-Nov-19	29-Nov-49	Village Padana
39	SHANKAR TRANSPORT	10	30-Nov-19	29-Nov-49	Village Padana
40	SHANKAR TRANSPORT	10	30-Nov-19	29-Nov-49	Village Padana
41	SHAMJI KANGAD & CO	50	15-Jun-22	14-Jun-52	Village Padana
42	SHAMJI KANGAD & CO	30	15-Jun-22	14-Jun-52	Village Padana
43	DAIVYA SALT & CHEMICALS PVT LTD	175	15-Jun-22	14-Jun-52	between Village Veera to Village Sanghad
44	AASHWAT SALT & CHEMALS PVT LTD	1300	15-Jun-22	14-Jun-52	between Village Veera to Village Sanghad
45	LAKSHMIWADI MINES & MINERALS PVT LTD	175	15-Jun-22	14-Jun-52	between Village Veera to Village Sanghad
46	PRIVA SALT & CHEMICALS PVT LTD	275	15-Jun-22	14-Jun-52	between Village Veera to Village Sanghad
47	PATEL SALT & ALLIED INDUSTRIES	170	15-Jun-22	14-Jun-52	between Village Veera to Village Sanghad
48	PATEL SALT & ALLIED INDUSTRIES	70	15-Jun-22	14-Jun-52	between Village Veera to Village Sanghad
49	SHRI PINGLESWAR SALT INDUSTRIES	125	15-Jun-22	14-Jun-52	between Village Veera to Village Sanghad
		13384.00			

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From: parekhco@parekhco.com
Sent: 28 February 2025 15:22
To: 'gitanjali@eldfindia.com'; 'secy-moef@nic.in'; 'secfed@gujarat.gov.in'; 'gezma.crz@gmail.com'; 'pccf-forest@gujarat.gov.in'; 'collector-kut@gujarat.gov.in'; 'rogpcb.eastkutch@gmail.com'; 'info@shreeramsalt.com'
Cc: sumit.goel@parekhco.com; pratyusha.priyadarshini@parekhco.com; garima.khanna@parekhco.com
Subject: EA No. 43 of 2024 in O.A. No. 111/2018 Kachchh Camel Breeders Associations V/s. Ministry of Environment , Forest Climate Change & Ors.

Dear Sirs

Please find below link for the scan copy of Reply filed on behalf of Respondent No. 6 i.e. Deen Dayal Port Authority in above mentioned matter.

<https://drive.google.com/file/d/1-3Hj36Usyuo5osy3itlcq70rGUgANaqo/view?usp=sharing>

Regards
Parekh & co.