

N.D.O.H. 16/4/2026

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
EXECUTION APPLICATION No. 43 of 2024
In
ORIGINAL APPLICATION No. 111 of 2018**

IN THE MATTER OF:

Kachchh Camel Breeders AssociationApplicant
Versus
Ministry of Environment, Forest and Climate
Change & Ors.Respondents

INDEX

Sr. No.	Particulars	Page No.
1.	Reply on behalf of the Respondent No. 6 to the compliance chart filed by the applicant dated 19.01.2026 along with the affidavit.	1-10
2.	Proof of Service.	11

Filed By:

Place: New Delhi
Date: 08.04.2026

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

**REPLY ON BEHALF OF THE RESPONDENT No. 6 TO THE
COMPLIANCE CHART FILED BY THE APPLICANT DATED
19.01.2026**

Most Respectfully Showeth:

1. The Applicant has filed a Compliance Chart on compliance of the judgment passed by this Hon'ble Tribunal dated 11.09.2019 in O.A. No. 111 of 2018 and order dated 16.09.2020 in E.A. No. 12 of 2020 passed by this Hon'ble Tribunal.
2. The present affidavit is being filed by Deendayal Port Authority-Respondent No. 6 in response to the said compliance chart filed by the Applicant.
3. At the outset, it is submitted that DPA/Respondent No. 6 is in full compliance with the directions issued by this Hon'ble Tribunal in the said judgment dated 11.09.2019 and the final order dated 16.09.2020.

I. Response of DPA to Table A filed by Applicant with respect to status of compliance of directions contained in Judgment dated 11.09.2019

Direction No. (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.*

4. The DPA has been reporting to police authorities as well as to the office of Collector and District Magistrate, Kutch about the instances of encroachments and illegal activities of bund creation by miscreants time and again. Some of those complaints have been placed on record in these proceedings [Ann. R-3 (Pg. 253), Ann. R-21 (Pgs. 288-292), Ann. R-22 (Pgs. 293-296), Ann. R-24 (Pgs. 299-301) and Ann. R-34 (Pgs. 325-326)]. On complaints filed by DPA, action has been taken by the authorities by breaking the earthen embankments to allow free flow of water. Some of the action taken reports have been placed on record in these proceedings [Ann. R-23 (Pgs. 297-298) and Ann R-33 (Pgs. 320-324)].

5. It was DPA who requested the District Collector by letters dated 5.09.2024 and 5.11.2024 to constitute a committee of DPA officials and officials of State Government i.e. Mamlatdar, Superintendent of Police etc. so that necessary action can be taken for removing the encroachments (Ann. R-31 (Pg. 315) and Ann R-32 (Pg. 316-319)]. The efforts made by DPA led to the decision been taken in the meeting of District Level CRZ committee held on 29.01.2025 (Ann. R-35/Pgs. 327-336) whereby police department was instructed to provide their support for removal of illegal encroachments. Further GPCB, Forest department and DPA were directed to jointly carry out the activity to remove encroachment and prevent further distraction. The Respondent No. 3- GCZMA has filed an additional affidavit dated September 2025 before this Hon'ble Tribunal wherein in para 7 (Pg. 438-439) it has stated that District Level Committee has been taking up the

complaints received about construction of bunds, setting up of salt pans etc. and has been issuing appropriate instructions.

6. DPA has carried out a removal drive from 26.12.2025 to 7.01.2026 in the vicinity of Gulamshah Peer, Bhachau covering an area of approximately 950 acres and in that has removed encroachment in about 950 acres with support of the State Authorities.

Direction No. (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 applicant has erroneously stated in the Compliance Chart that there is no information on the total area that has been restored. It is submitted that the Respondent Nos. 2 and 4 in their affidavit filed on 17.09.2025 stated in para VII (Pg. 530) that mangrove plantation has been undertaken over 495 hectares in Gulamshah Pir, Motichirai and Nainichirai area. The Respondent Nos. 2 and 4 in their additional affidavit filed on 17.01.2026 (Pg. 968) has further stated that mangrove plantation work in 96 hectares at Jangi village has commenced.

8. So far as recovery of environment damage/penal compensation is concerned, the same was directed by this Hon'ble Tribunal in order dated 11.09.2019 to be recovered from persons responsible for the obstruction of the creeks. In the said judgment, this Hon'ble tribunal held that it was miscreants who were responsible for creating bunds across creeks which caused death of mangroves. The relevant para 20 of the judgment reads as under:

“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 caused death of mangroves.”

9. Thereafter the Committee in its Joint inspection report dated December 2019 concluded that it is difficult for the Committee to identify the exact name of the culprit. The Committee hence recommended that DPA should carry out the mangrove restoration work as well as removal of bunds and also directed the Revenue department and DPA to identify the real culprit and recover the cost of Mangrove destruction and bund removal (Pg. 252) .

10. The aforesaid report was placed before this Hon'ble Tribunal and by order dated 16.09.2020, this Hon'ble Tribunal directed that the amount determined be recovered expeditiously and restoration work be executed (Pgs. 60-61). Thus, DPA has complied with the directions issued to it.

Direction No. (iii)- *If there has been any activity which is in violation of CRZ Notification, 2011, the GCZMA will immediately take action in accordance with law.*

11. This direction was issued to GCZMA. The applicant in the compliance chart has referred to a list of salt manufacturers operating in the lands of DPA which is annexure R-36 to the reply filed by DPA. The applicant has alleged that there is no clarity on whether these companies have been operating in compliance of CRZ notification 2011 and 2019 or not.

12. It is submitted that none of the leases granted by the DPA are in CRZ-IA area. They are either in CRZ-IB or outside the CRZ area where salt harvesting is permissible activity. DPA has already cancelled the leases which were coming under CRZ-IA area as was also informed to the District

Collector and District Magistrate, Kutch by letter dated 5.11.2024 (**Ann R-32/Pg. 316-319**). It was also informed by the DPA in the said letter that the following conditions have been incorporated in the lease deed for CRZ compliance by the 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..... No construction activity shall be carried out by the lessee without any statutory clearances.”

Direction No. (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.*

13. The Direction No. (iv) was issued by this Hon'ble Tribunal to the Forest Department. As submitted above, DPA promptly reports any illegal activity carried out by the encroachers.

Direction No. (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*

14. The Direction No. (v) was issued by this Hon'ble Tribunal to the GCZMA.

Direction No. (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.*

15. The Applicant admits that DPA has deposited the amounts which were demanded by the Forest department for Naini Chirai, Moti Chirai, Khersah Pir as well as Jangi areas for restoration of mangroves and removal of bunds.

The Applicant has erroneously stated in the compliance chart that there is no visual evidence of the work done. It is submitted that the Office of Deputy Conservator of Forests in letter dated 2.08.2022 to the Executive Engineer, DPA confirmed that the work of illegal bund destruction work and mangrove restoration work has been carried out by Range Forest Officer, Bhachau Range in the Naini Chirai, Moti Chirai and Khershahpir Creek area (**Annex. R-19/Pg. 284-285**). The Respondent Nos. 2 and 4 have filed an affidavit dated 17.09.2025 wherein Para VII (**Pg. 530**) it has been stated that approximately 4000 RMT of embankment has been removed and mangrove plantation has been undertaken over 495 hectares.

16. So far as Jangi area is concerned, the Respondent Nos. 2 and 4 in their additional affidavit dated 17.01.2026 has stated in para 8 (**Pg. 968**) that mangrove plantation work in 96 hectares at jangi village has commenced from 27.12.2025 onwards and the same is being carried out as per the approved plan. The treatment map may be filed by Respondent Nos. 2 and 4.

17. The contention of the applicant in the compliance chart that this Hon'ble tribunal is also required to examine the adequacy of the compensation amount is erroneous. The compensation amount was determined and recommended by the Joint Committee in its report dated December 2019 which was approved by the GCZMA on 5.09.2020. The report was placed before this Hon'ble Tribunal and it was directed in the order dated 16.09.2020 that the amount determined be recovered and restoration work be executed.

Direction No. (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.*

18. This direction was issued to the Forest Department. The applicant admits in the compliance chart that the Forest department, Government of Gujarat has taken action to restore the mangroves as directed by this Hon'ble tribunal, but has raised issue with regard to survivability of the mangrove plantation as on 31.01.2025 as only 70 to 75%. It is submitted that this is irrelevant to the present proceedings which are only for enforcement of the orders passed by this Hon'ble tribunal. So long as DPA has deposited the cost for restoration of mangroves as demanded from it and the Forest Department has carried out the work of restoration, the orders are fully complied. The survivability of mangroves depend on various factors i.e. root systems, climate change etc. which is not the issue before this Hon'ble tribunal.

II. Response of DPA to Table B filed by Applicant with respect to status of compliance of directions contained in Final Order dated 16.09.2020

Direction (i) - *Let further steps be taken for enforcement of order of this Tribunal dated 11.09.2019.*

19. The Applicant has admitted in the compliance chart that DPA has complied with the direction with respect to enforcement of the order dated 11.09.2019 passed by this Hon'ble Tribunal.

Direction No. (ii)- *The amount determined be recovered expeditiously and restoration work be executed which may be overseen by a joint Committee.*

20. The Applicant has admitted in the compliance chart that DPA has deposited the amounts which were demanded towards restoration of mangroves and for removal of bunds. The pictures or other proofs sought by the Applicant may be placed on record by GCZMA and the Forest Department. However, the fact that restoration work has been done is mentioned in contemporaneous documents and has been so stated in the affidavits filed before this Hon'ble Tribunal.

Direction No. (iii)- *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.*

21. This direction was issued to the Forest Department and GCZMA.

Direction No. (iv)- *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.*

22. As submitted above, the DPA has reported the violations to police as well as to the office of Collector and District Magistrate, Kutch. The applicant has erroneously stated in the compliance chart that no concrete action has been taken on such complaints. As stated above, action has been taken by the authorities by breaking the earthen embankments to allow free flow of water [Ann. R-23 (Pgs. 297-298) and Ann. R-33 (Pgs. 320-324)]. It has always been the case of DPA that it requires support of the State authorities to ensure that encroachers/trespassers do not carry out illegal salt manufacturing activities on its lands and as and when any such activity is noticed, the same can be stopped.

Direction No. (v)- *The joint Committee may file a compliance report with the Chief Secretary, Gujarat within three months*

23. This direction was issued to the Forest Department and GCZMA.

24. In view of the above facts and circumstances, it is submitted that DPA is in full compliance of the directions issued by this Hon'ble Tribunal in judgment dated 11.09.2019 and the Final order dated 16.09.2020.

Filed by:


Sameer Parekh
(Parekh & Co.)

Advocates for the Respondent No. 6

New Delhi

Date: 08.04.2026

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Versus

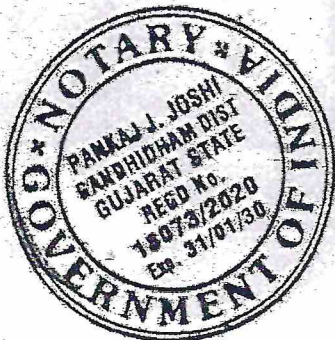
Ministry of Environment, Forest and

Climate Change & Ors. ... Respondents

AFFIDAVIT

I, Sunil Soren, S/o Caius Soren, aged about 54 years, having office at Gandhidham Kachchh Gujarat, do hereby solemnly affirm and declare as under:-

1. That I am the Authorized Representative of the Respondent no. 6 and am competent to swear this affidavit.
2. That I have gone through the accompanying Reply to the compliance chart filed by the Applicant dated 19.01.2026, 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.



(Signature)
PANKAJ J. JOSHI
 NOTARY

Gandhidham-Kachchh

07 APR 2026

(Signature)
DEPONENT
(SUNIL SOREN)
 अधीक्षण अभियंता (के.एल.)
 Superintending Engineer (KL)
 दीनदयाल परतल प्राधिकरण
 Deendayal Port Authority

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 the 7th day of April, 2026.

DEPONENT
(SUNIL SOREN)
अधीक्षण अभियंता (के.एल.)
Superintending Engineer (KL)
दीनदयाल पत्तन प्राधिकरण
Deendayal Port Authority

SWORN/SIGNED BEFORE ME
(PANKAJ J. JOSHI) NOTARY
GANDHIDHAM, KACHCHH, GUJARAT
SR. NO. 3416/2026
DATE: 07 APR 2026

Parekh & Co.

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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.
Attachments: Reply 8.4.26.pdf

Dear Sirs

Please find attached herewith the scan copy of Reply filed on behalf of Respondent No. 6 to the compliance chart filed by the applicant dated 19.1.2026 in above mentioned matter.

Regards
Parekh & co.