

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 347/2016
(I.A. No. 185/2020, I.A. No. 206/2020 & I.A. No. 344/2020)
I.A. No. 355/2020 I.A. No. 356/2020,
I.A. No. 357/2020 & I.A. No. 410/2020)

(With reports dated 14.09.2020 & 14.12.2020)

Chandra Bhal Singh

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 16.12.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant: Mr. Saurabh Sharma, Advocate

Respondent: Mr. J. Justin Mohan, Secretary, NBA
Mr. Ravinder Kumar Gupta, Advocate for MoEF & CC
Mr. Shuvodeep Roy, Advocate for State of Assam & Tripura
Mr. Darpan KM, Advocate for State of Karnataka & Chhattisgarh
Ms Shashi Juneja, Advocate for UT of Jammu & Kashmir
Mr. Shashank Bajpai, Advocate for State of Odisha
Mr. Mahfooz A Nazki, Advocate for State of Andhra Pradesh
Mr. Avijit Mani Tripathi, Advocate for State of Meghalaya
Ms Ruchira Gupta, Advocate for State of Goa
Mr. Bhanwar Pal Singh, Advocate for State of UP
Mr. Alim Anvar, Advocate for State of Kerala
Mr. Preshit Surshe, Advocate for State of Maharashtra
Mr. Raghav Sharma, Advocate for MPPCB
Mr. K. Enatoli Sema, Advocate for State of Nagaland
Mr. Nishant Talwar, Advocate for State of Punjab
Ms Ana Upadhyay, Advocate for State of Mizoram
Mr. V.K Shukla, Advocate for State of MP
Ms G. Indira, Advocate for UT of Andaman & Nicobar
Mr. Rahul Khurana, Advocate for State of Haryana
Mr. Rishi K Awasthi, Advocate for State of Bihar

ORDER

1. The issue for consideration is the remedial action for non-compliance of provisions of the Biological Diversity Act, 2002 and

Biological Diversity Rules, 2004, including constitution of Biodiversity Management Committees (BMCs) as per Section 41 of the Act and maintaining Peoples Bio Diversity Registers (PBRs) as required under Rule 22(6).

2. The Act was enacted to provide for conservation of biological diversity, sustainable use of its components and fair and equitable sharing of the benefits and for matters connected therewith or incidental thereto with a view to give effect to the United Nations Convention on Biological Diversity (CBD) which came into force on 29.12.1993. The Act seeks to regulate access to biological resources and fair and equitable sharing of benefits arising out of utilization of biological resources by constituting National Biodiversity Authority (NBA) to advice the Central Government and the State Governments on steps towards conservation of biodiversity, sustainable use of its components, equitable sharing of benefits and allied issues. The Act also contains provision for establishment of State Biodiversity Boards to advice the State Government on the subject. The Central Government has to develop national strategies, plans and programmes for conservation and promotion and sustainable use of biodiversity. At local level, every local body has to constitute BMCs. The Rules based on CBD provide that the BMC is to prepare PBRs containing comprehensive information on availability and knowledge of local biological resources, their medicinal or any other use and Traditional Knowledge (TK) associated with them.

3. This Tribunal issued notices to all the States and Union Territories, Boards and Authorities. The matter has been considered on several dates in the last four years. It is not necessary to refer to all the

proceedings. Some State Boards have filed their respective affidavits mentioning the steps taken for enforcement of the Act and the Rules.

4. Vide order dated 12.04.2019, noticing huge gap in constitution of BMCs and preparation of PBRs, this Tribunal directed the said steps to be completed within three months and a report filed by MoEF&CC. The States which remained non-compliant were asked to furnish their explanation.

5. The matter was thereafter considered on 09.08.2019 in the light of the report of MoEF&CC dated 02.08.2019. The Tribunal observed:-

- “ 5. *A report dated 02.08.2019 has been filed by the MoEF&CC to the effect that the Principal Secretaries of Panchayat Raj and Rural Development Departments were asked to expedite the setting up of the BMCs and three regional meetings were held with all the States and the State Biodiversity Boards. The statistics show that as against the need to constitute 317519 BMCs, 155838 BMCs have been constituted and 6868 PBRs have been documented, while 1692 PBRs are still in progress. The BMCs constituted are about 50%. The number of PBRs appears to be less than the PBRs reported earlier.*
6. *Having regard to the laudable objective to meet the necessity of conservation of biological diversity, delay of more than 16 years in complying with the mandate of law is a matter of serious concern.*
7. *We regretfully note that the matter on PBR progress noted is ‘zero’ in the States of Arunachal Pradesh, Bihar, Chhattisgarh, Gujarat, Jammu & Kashmir, Karnataka Madhya Pradesh, Manipur, Rajasthan, Sikkim, Tamil Nadu, Tripura, Uttar Pradesh and West Bengal. On the subject of BMC, there is zero progress in Bihar and Jammu & Kashmir.*
8. *This inadequate progress is in spite of repeated directions of this Tribunal. We asked all the learned counsel appearing in the matter to suggest a reasonable mechanism for ensuring compliance of law with a penal consequence for any further defaults.*
9. ***India is one of the recognized mega-diverse countries of the world, harbouring nearly 7-8% of the recorded species of the world, and representing 4 of the 34 globally identified biodiversity hotspots. India 5 is also a vast repository of traditional knowledge associated***

with biological resources. So far, over 91,200 species of animals and 45,500 species of plants have been documented in the ten biogeographic regions of the country. 5 The indigenous and local community are a repository of traditional knowledge and their knowledge and practices help in conservation and sustainable development of the biodiversity. In the past, India has already faced biopiracy6. There is, thus, urgent need to document the knowledge of the local community in the form of PBR.

10. *As per certain studies7, PBRs help the State and the local community to become aware of the valuable resources being harvested in their area which can be utilised for the overall social and economic development of the State. Furthermore, PBRs also help in conservation of the traditional practices and knowledge of the local community. Studies on the issue of access and benefit sharing (ABS)8, show that non establishment of BMCs and absence of PBRs deprives the local community of the advantage of the biological resources. PBRs not only document the knowledge, they also help in identification of benefit claimers.*
11. *In above background, having considered the submissions made by the learned counsels, we direct as follows:*
 - (i) *The Chief Secretaries of all the States, where the defaults are continuing, may consider giving a warning to the Panchayat Secretaries for their past failures, recording the same in their service record and give direction to the officers who are responsible for the job to ensure compliance with 100% constitution of BMCs and PBRs by 31.01.2020 failing which coercive measures may have to be considered against them. The Chief Secretaries may evolve a mechanism for ensuring a monthly meeting to be attended by the Chairman and Member Secretaries of State Biodiversity Boards, Secretaries, Panchayat, Environment and Forest starting from September, 2019.*
 - (ii) *The States will be accountable for the defaults and required to deposit a sum of Rs. 10 lakhs per month each from 01.02.2020 with the CPCB to be utilized for restoration of the environment. The States will be at liberty to recover the said amount from the persons committing the default.*
 - (iii) *The MoEF&CC and National Biodiversity Authority may hold a review meeting every month from September 2019 till the above task is completed.*
 - (iv) *The MoEF&CC may file a compliance report after collecting the necessary data from all the States on or before 15.02.2020. The Monitoring Committee of the*

MoEF&CC may oversee the quality of PBRs on sample basis by evolving a suitable mechanism”

6. The matter was thereafter reviewed on 18.03.2020 in light of **final report** filed by the National Biodiversity Authority (NBA), Chennai giving the status of formation of BMCs and preparation of PBRs as on 31.01.2020. Since there were still certain defaults, the Tribunal directed payment of compensation for the delay and compliances resulting in damage to the environment. The applications for seeking extension of time were rejected and compensation was directed to be paid for the delay except in respect of the State of Jammu & Kashmir and Ladakh. The direction was also issued to revise the model of PBR and to monitor further compliances. The updated status report was required to be filed.

7. The operative part of the order dated 18.03.2020 is reproduced below:-

“6. Accordingly, a final report has been filed by the National Biodiversity Authority, Chennai on behalf of the MoEF&CC giving status of the formation of Biodiversity Management Committees (BMCs) and preparation of Peoples Biodiversity Registers (PBRs) in the local bodies as on 31.01.2020. The report inter-alia is as follows:

“ As can be seen, there has been an increase of 32.5% in BMC constitution and an increase of 32.7% in PBR formation since the Order of the Hon’ble National Green Tribunal dated 09.08.2019:-

As on 26/07/2016 (when the OA was filed before the Hon’ble Tribunal)		As on 31/07/2020 (Based on which the Tribunal had issued Orders on 09/08/2019)		As on 31/01/2020 (January 2020)	
<i>BMCS formed</i>	<i>PBRs prepared</i>	<i>BMCs formed</i>	<i>PBRs prepared</i>	<i>BMCs formed</i>	<i>PBRs prepared</i>
9700	1,388	1,55,838	6,868	2,43,499	95,252

3. *As already informed in the Interim Report, the National Biodiversity Authority had written to the Chief Secretaries of all States on 08/11/2019 to take necessary action to comply with the Orders of the Hon’ble Tribunal to complete the process of BMC formation and PBR*

preparation within the stipulated time frame as instructed by the Hon'ble Tribunal.

7. *PBR is a dynamic document and it has to capture all the biological resources available in the local body in all the four seasons. Besides evaluating the PBRs. The PBR Monitoring Committee constituted by the NBA based on approval by MoEF&CC would be assisting the SBBs to evolve a mechanism to complete the PBRs in an expeditious manner.”*

7. *We have also perused the written submissions filed on behalf of the applicant on 16.02.2020 commenting about the compliance as follows:*

“4. That a perusal of the Compliance Report dated 13.02.2020 shows that:-

- (i) Out of 2,75,220 local bodies, BMCs have been constituted in 2,48,140 local bodies. This implies that present compliance rate is more than 90%. In the following States and Union Territories: Assam, Goa, Himachal Pradesh, Kerala, Maharashtra, Sikkim, Tripura and Lakshadweep the compliance with respect to BMC constitution is 100 %.*
- (ii) Out of 2,48,140 BMCs, PBRs have been prepared by 95,252 BMCs. This implies that more than 61% of the BMCs are yet to prepare their PBRs. It is important to note that while in the Union Territory of Jammu and Kashmir, State of Bihar and Rajasthan none of the BMCs have prepared their PBRs till date while Uttar Pradesh has achieved 100% target in PBR preparation.”*

8. *The applicant has also given comments about the quality of the PBRs, status of collection of fees by the BMCs, status of funding of BMCs and status of access and benefit sharing (ABS).*

9. *We find that since there are still defaults in the constitution of BMCs and preparation of PBRs within the stipulated time fixed by this Tribunal, the defaulting States are liable to pay compensation in terms of order dated 09.08.2019 from 01.02.2020. The Act was enforced in 2002. The Rules came into force in 2004. Any further delay is not conducive to rule of law. The States cannot be allowed to plead incompetence or inability of carrying out mandate of law, undermining public interest. We may note that in absence of PBRs, regulation for conservation of biodiversity is affected. The Tribunal dealt with a matter in O.A. No. 57/2018 vide order dated 30.07.2019 where concretization within the blue line of Krishna river was found hampering biodiversity at the river bed. The Hon'ble Supreme Court in Civil Appeal No. 6563/2019, Wai Municipal Council v. Jeevitnadi Living River Foundation & Ors., against the above order of NGT, observed, vide order dated 30.08.2019:-*

“We are satisfied that concretization has been done within the prohibited zone, which has hampered the ground seepage and biodiversity at the river bed.”

10. There are other similar instances including order of this Tribunal dated 20.02.2020 in O.A. No. 385/2019, Centre for Wildlife v. UOI for preservation of great Indian Bustard by removing powerlines from the flight path of the said bird. This matter was also dealt with by the Hon'ble Supreme Court vide order dated 18.02.2019 in Civil Appeal No. 838/2019, M. K. Ranjitsinh & Ors. V. UOI & Ors. It is not necessary to multiply similar other instances but the fact remains that the issue is great significance and urgency.

11. In view of the above, we do not find any merit in the applications seeking extension of time. The States may ensure compliance and for the delay, compensation has to be paid as already directed. Only exception which may have to be made is for Jammu & Kashmir and Ladakh on account of developments in the wake of Jammu & Kashmir Reorganization Act, 2019 and peculiar situation which prevailed as mentioned in the affidavit dated 11.02.2020 filed on behalf of the UT of J&K. The time in respect of UTs of J&K and Ladakh will stand extended up to 31.10.2020. For delay beyond the said date, compensation at the same rate as applicable to other States/UTs will be payable from 01.11.2020.

In view of the above, I.A. No. 471/2019, M.A. No. 15/2020, M.A. No. 22/2020 & M.A. No. 23/2020 are dismissed.

12. **We are informed that the National Biodiversity Authority of India has prepared and placed on its website a model PBR for guidance of the States. The said model may be revised in the light of other available models. By way of example, reference is made a model prepared by the State of Nagaland.¹ Other similar models may also need to be looked into. The model so revised may be placed on the website within one month from today.**

13. **The MoEF&CC may continue to monitor the situation and file an updated status report as on 31.08.2020 before 30.09.2020. The stand of the applicant with regard to quality of the PBRs and other issues may be looked into and response filed before the next date by email at judicial-ngt@gov.in. CPCB may take steps to recover compensation from the defaulting States in terms of earlier orders."**

8. Accordingly, the NBA, Chennai has filed its final report on 14.09.2020. Prior to the said final report, the NBA filed interim report dated 18.04.2020. The report mentions that regular monthly review meetings were held with the State Biodiversity Boards on the subject of BMC formation and PBR preparation. The process was complete in some of the States while further work is still pending.

¹ <http://gef-satoyama.net/wp/wp-content/uploads/2017/11/Kivikhu-People%E2%80%99s-Biodiversity-Register.pdf>

9. The status mentioned in the report is as follows:-

“

5. The status of BMC formation and PBR preparation at the time of filing this OA on 26/07/2016 and at the time of Report filed by NBA on 31/01/2020 before the Hon'ble Tribunal and the status report as on 31/08/2020 are stated below. Based on the inputs received from State Biodiversity Boards 96.50% of the BMCs have been constituted and 71 % PBRs have been prepared as on 31st August 2020.

Total BMCs to be formed / PBRs to be prepared in the States	As on 26/07/2016 (Details when the OA was filed before the Hon'ble Tribunal)		As on 31/01/2020 (Details furnished in the Final Report of NBA on 13/02/2020)		As on 31/08/2020 (based on inputs from the States and UTs)	
	BMC Constituted	PBRs prepared	BMC Constituted	PBRs prepared	BMC Constituted	PBRs prepared
2,75,286	9,700	1,388	2,43,499	95,252	2,65,725	1,96,015

6. The status of BMCs formed and PBRs prepared in different states are as follows:

S.No.	State	Number of Local Bodies	BMCs formed till date	PBRs prepared till date	Status of completion (in percentage)	
					BMC	PBRs
1	Andhra Pradesh	14216	13612	906	95.75%	0.67%
2	Arunachal Pradesh	1806	1806	1050	Completed	58%
3	Assam	2549	2549	2549	Completed	Completed
4	Bihar	9101	7141	0	78.46%	0%
5	Chhattisgarh	11301	11301	1246	Completed	11%
6	Goa	205	205	205	Completed	Completed
7	Gujarat	14713	10819	1760	73.53%	11.96%
8	Haryana	6437	6435	6437	Completed	Completed
9	Himachal Pradesh	3371	3371	3371	Completed	Completed
10	Jharkhand	4690	4680	4680	Completed	Completed
11	Karnataka	6554	6495	5081	99%	77.53%
12	Kerala	1200	1200	1034	Completed	Completed
13	Madhya Pradesh	23557	23557	23557	Completed	Completed
14	Maharashtra	28649	28649	25255	Completed	97.65%
15	Manipur	2282	1907	37	83.57%	1.94%
16	Meghalaya	6471	4573	1050	70.67%	16.22%

17	Mizoram	894	894	810	Completed	90.60%
18	Nagaland	1238	1096	1096	88.50%	88.50%
19	Odisha	7256	7090	276	97.70%	3.80%
20	Punjab	13599	13599	13599	Completed	Completed
21	Rajasthan	10406	10283	0	98.80%	0%
22	Sikkim	196	196	196	Completed	Completed
23	Tamil Nadu	13604	13604	13604	Completed	Completed
24	Telangana	13461	13461	13461	Completed	Completed
25	Tripura	1264	1264	1264	Completed	Completed
26	Uttarakhand	7991	7991	7991	Completed	Completed
27	Uttar Pradesh	59407	59407	59407	Completed	Completed
28	West Bengal	3830	3830	3424	Completed	89.40%
	Total	270248	261015	196015		

7. The BMC formation and PBR preparation is complete in all respects in 13 states Assam, Goa, Haryana, Himachal Pradesh, Jharkhand, Madhya Pradesh, Punjab, Sikkim, Tamil Nadu, Telangana, Tripura, Uttarakhand and Uttar Pradesh as reported by these states. In the case of Kerala, the state has reported that as per the Kerala State Biodiversity Rules, 2008, the BMCs are to be formed in Grama Panchayats, Municipalities and Corporations which they had completed prior to the Orders passed by the Hon'ble Tribunal and this fact was brought to the notice of the Hon'ble Tribunal in the Interim Report filed by NBA. Therefore, including Kerala, 14 (fourteen) states have completed the BMC formation and PBR preparation in all respects as on 31/08/2020.

8 The BMC formation has been completed in five states viz. Arunachal Pradesh, Chhattisgarh, Maharashtra, Mizoram and West Bengal. In these states, the PBRs are in different stages of preparation. In respect of Andhra Pradesh, Karnataka, Odisha and Rajasthan, more than 95% of the BMCs have been formed.

9. Some of the North Eastern States have informed that considering the difficult terrain, uniformity in the availability of the biological resources and the thin population in the villages, the necessity of preparing PBRs for each village may not be feasible. Therefore, these states have decided to restrict the number of PBRs to be prepared in their states. For example, Manipur has informed that they have decided to prepare 199 PBRs in their 2282 local bodies adopting a cluster approach.

10. In the case of Jammu and Kashmir and Ladakh, which has now been declared as a Union Territories, the Hon'ble Tribunal has extended the deadline for formation of BMCs and preparation of PBRs till 31st October 2020. In the case of Union Territories, NBA has issued Orders on 31st December 2019 to constitute Union Territory Biodiversity Councils. The work for implementing the provisions of the Biological Diversity Act is being undertaken by the Union Territories and this has been affected due to the prevailing COVID-19 pandemic. Till date, Jammu and Kashmir has reported that 4637 BMCs have been formed out of 4673 local bodies.

11. During the meetings convened by the National Biodiversity Authority, the States have informed that the BMC formation and PBR preparation have been affected on account of the country wide lockdown due to the COVID-19 pandemic, which restricted the movement of officials and people. Some states have reported paucity of funds for preparing PBRs. The States have requested to waive the penalty imposed by the Hon'ble Tribunal in its Order dated 18/03/2020 and provide another six months' time to complete the process of BMC formation and PBR preparation.

12. The National Biodiversity Authority has circulated the PBR Guidelines to all the states, to document the biological resources in the local bodies. As directed by the Hon'ble Tribunal in its Order dated 18/03/2020, the PBR Guidelines have also been placed in the official website of the NBA. Considering the prevailing COVID-19 situation, NBA has advised the states to commence the preparation of the PBRs based on existing data on biological resources already available with line departments of the concerned states and to update the same once the situation gets normal. The PBR is a dynamic document and the updation process would be a continuous process.

13. The PBR Monitoring committee, constituted vide order NBA/15/30/2019/SBB/NGT dated 20.01.2020 as per the Orders of the Hon'ble Tribunal to evaluate the quality of PBRs had submitted its first report to Ministry of Environment, Forest and Climate Change (MoEFCC). The copy of the same was enclosed in the Interim Report filed before the Hon'ble Tribunal on 18th April 2020. Considering the prevailing COVID-19 pandemic situation, the movement of the PBR Monitoring Committee to evaluate the PBRs in different states has been severely curtailed / stopped.

14. As per the instructions of the Hon'ble NGT, a letter was sent by National Biodiversity Authority to all Chief Secretaries of the States to expedite the formation of BMCs and preparation of PBRs on 30th March 2020. Considering the large number of PBRs prepared, the States were also advised to set up a state level PBR Monitoring committee, which will evaluate the PBRs and support the National Level PBR Monitoring Committee appropriately. This was informed to the Hon'ble Tribunal in the Interim Report filed before the Hon'ble Tribunal on 18th April 2020 enclosing the copies of the letters.”

10. After the said report, a further report has been filed by the NBA on 14.12.2020 giving the status as on 08.12.2020 as follows:-

“

4. The status of BMC formation and PBR preparation in the different states as on 8th December 2020 is enclosed as **Exhibit IA & IB**, which shows that 2,69,433 BMCs have been constituted and 2,28,543 PBRs have been prepared in different States / UTs.

5. It is pertinent to note that the following 21 States/UTs have informed that they have completed the BMC formation and PBR preparation in their respective jurisdiction.

Arunachal Pradesh, Assam, Goa, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Mizoram, Punjab, Odisha, Sikkim, Tamil Nadu, Telangana, Tripura, Uttarakhand, Uttar Pradesh, Jammu & Kashmir, Lakshadweep

6. The following two (2) States/ UT have informed that they have already completed the BMC formation in their respective jurisdictions and the PBR preparation is on the verge of completion.

Manipur & West Bengal

7. The following ten (10) States/ UTs have informed that they are in an advanced stage of completing the BMCs and PBRs in their respective jurisdictions

Andhra Pradesh, Bihar, Chhattisgarh, Gujarat, Meghalaya, Nagaland, Rajasthan, Ladakh, Andaman & Nicobar Islands, Chandigarh

8. The following three (3) UTs have informed that they are in the process of constitution of BMCs and preparation of PBRs.

Delhi, Puducherry, Dadra and Nagar Haveli and Daman and Diu

9. It is submitted that the States have taken proactive steps to comply with the Orders of the Hon'ble Tribunal. But due to the country wide lockdown on account of the COVID-19 pandemic which has restricted the movement of people in different parts of the country, some states are yet to complete the process. Ministry of Environment, Forest and Climate Change and the National Biodiversity Authority have been closely monitoring the progress of BMC formation and PBR preparation in these states.

10. It is submitted that the states which have not yet completed the process, have informed that action has been initiated to complete the work and the process could not be completed due to state specific constraints like delay in conduct of local body elections, naxalism etc.

11. It is submitted that the National Biodiversity Authority, had delegated its powers to the UTs to constitute Union Territory Biodiversity Councils (UTBCs) on 31/12/2019. Due to the COVID-19 pandemic, there has been delay in completing this process in some UTs. The following UTs viz. Andaman & Nicobar Islands, Chandigarh, Jammu & Kashmir, Ladakh, Lakshadweep have constituted the UTBCs till date while in the remaining, it is in progress.

12. *It is submitted that the states which have completed the process as per the Orders of the Hon'ble Tribunal have requested to waive of the penalty imposed by the Tribunal from 1st February 2020 as they have taken sincere efforts to comply with the Orders despite the extraordinary circumstances on account of the prevailing COVID-19 pandemic.*

13. *It is submitted that the states which are yet to fully complete the process of BMC formation and PBR preparation have requested to waive the penalty imposed by the Hon'ble Tribunal and have sought additional time due to the prevailing COVID-19 pandemic and other state specific issues, to fully comply with the Orders of this Tribunal. The Hon'ble Tribunal may please consider the request made by the states to waive off the penalty and grant additional time to fully comply with the Orders of the Hon'ble Tribunal on account of the unprecedented restrictions in the movement of people due to the COVID-19 pandemic.”*

11. Some States have filed applications seeking extension of time on account of the COVID situation and also waiver of requirement to pay compensation for the delay.

12. We have heard learned Counsel for the parties present before us and considered the reports and the submissions in the applications.

13. The Tribunal has already monitored the matter for the last more than four years. There is substantial progress in compliance of the requirements of setting up BMCs and maintaining PBRs. The Member Secretary of the NBA, present during the hearing, has assured the Tribunal that further monitoring will be faithfully conducted by the NBA with all the concerned State Biodiversity Boards and necessary steps for compliance of law will be taken.

14. We also find that in view of COVID situation, it will be necessary to take a liberal view about the delay caused. Accordingly, the time for remaining compliances is extended upto 30.06.2021 and compensation amounts will stand waived if compliances are ensured by that date.

The main Application as well as all IAs are accordingly disposed of.

Adarsh Kumar Goel, CP

S.K. Singh, JM

Dr. S.S. Garbyal, EM

Dr. Nagin Nanda, EM

December 16, 2020

Original Application No. 347/2016

(I.A. No. 185/2020, I.A. No. 206/2020 & I.A. No. 344/2020)

I.A. No. 355/2020 I.A No. 356/2020,

I.A. No. 357/2020 & I.A. No. 410/2020)

SN