



advocates & solicitors

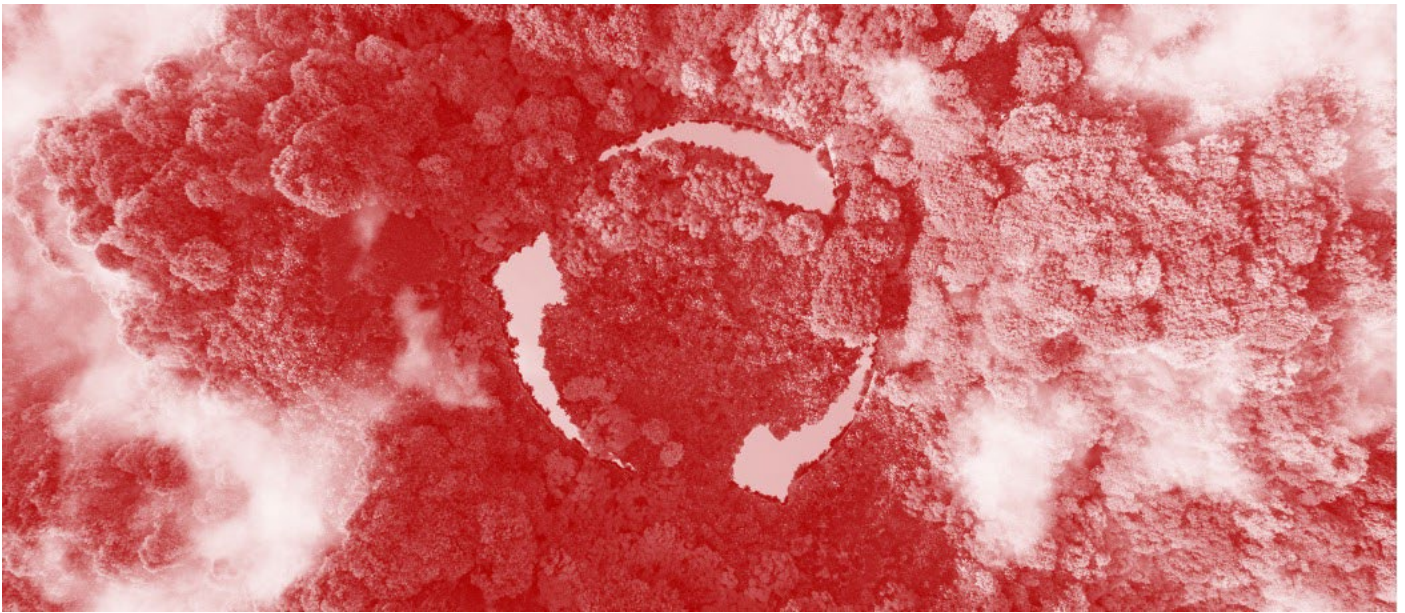


Knowledge Management

Semi-Annual Environmental Disputes
and Environmental, Social &
Governance Compendium 2025

January – June 2025

Semi-Annual Environmental Disputes and Environmental, Social & Governance Compendium 2025



This Compendium consolidates all the key developments pertaining to the environmental disputes and Environmental, Social & Governance (“ESG”) related regulatory updates which were circulated as JSA Newsletters during the calendar period from January 2025 till June 2025.

Regulatory updates

Ministry of Environment, Forest and Climate Change

Environment Protection (End-of-Life Vehicles) Rules, 2025

Ministry of Environment, Forest and Climate Change (“MoEFCC”), *vide* notification dated January 6, 2025, has notified the Environment Protection (End-of-Life Vehicles) Rules, 2025. The rules aim to streamline the disposal, recycling and management of end-of-life vehicles, to ensure an eco-friendly approach to

handling the growing number of old vehicles. They are applicable to:

1. the producer, registered owner of vehicles, bulk consumers, registered vehicle scrapping facility, collection centres, automated testing stations and entities involved in testing of vehicles, handling, processing and scrapping of end-of-life vehicles, but will not apply to:
 - a) waste batteries covered under the Battery Waste Management Rules, 2022;
 - b) plastic packaging as covered under the Plastic Waste Management Rules, 2016;
 - c) waste tyres and used oil as covered under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016; and
 - d) e-waste as covered under E-Waste (Management) Rules, 2022; and
2. all types of vehicles defined in Section 2(28) of the Motor Vehicles Act, 1988 and includes an electric

vehicle, battery operated vehicle, e-rikshaw or e-cart, but will not apply to: agricultural tractor; agricultural trailer; combine harvester; and power tiller.

Timeline for review of ESG rating pursuant to occurrence of 'material events'

To promote ease of doing business, MoEFCC, vide notification dated January 17, 2025, has decided to provide relaxation in the timeline for review of ESG ratings pursuant to publication of Business Responsibility and Sustainability Reporting ("BRSR"). ESG Rating Providers ("ERPs") must carry out a review of the ESG ratings upon the occurrence of or announcement/ news of such material developments immediately, but not later than 10 (ten) days of occurrence of the said event. However, review of the ESG rating pursuant to publication of BRSR by the rated entity must be carried out immediately, but not later than 45 (forty-five) days of the publication of the BRSR.

Plastic Waste Management (Amendment) Rules, 2025

MoEFCC, vide notification dated January 23, 2025, has amended the Plastic Waste Management Rules, 2016. A producer, importer or brand owner may, with effect from the July 1, 2025, provide the information required to be printed on each plastic carry bag and multilayered packaging in the following manner:

1. in a barcode or quick response code printed on the plastic packaging;
2. in the product information brochure; and
3. print on the plastics packaging the unique number issued under any law for the time being in force, wherein, the provisions of Rule 11 (1) of the principal rules are required to be fulfilled before issuance of such a number.

The details of publishing of a barcode or quick response code, brochure or unique number must be given to the Central Pollution Control Board ("CPCB"). Further, any person who fails to comply or contravenes the provisions of the principal rules will be liable to a penalty in accordance with the provisions of Section 15 of the Environment (Protection) Act, 1986.

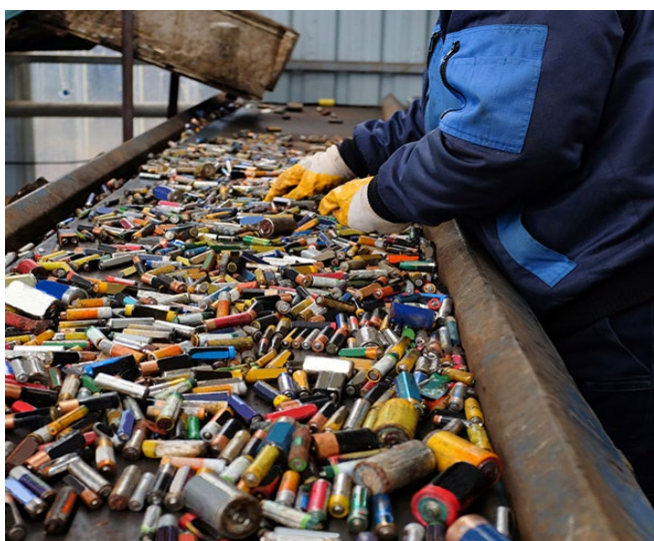


Control of Air Pollution (Grant, Refusal or Cancellation of Consent) Guidelines, 2025 and the Control of Water Pollution (Grant, Refusal or Cancellation of Consent) Guidelines, 2025

MoEFCC, vide notifications dated January 29, 2025 and January 30, 2025, has notified new guidelines under the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974, introducing the Control of Air Pollution (Grant, Refusal or Cancellation of Consent) Guidelines, 2025 and the Control of Water Pollution (Grant, Refusal or Cancellation of Consent) Guidelines, 2025, respectively. These guidelines bring changes to requirement of obtaining and maintaining Consent to Establish ("CTE") and Consent to Operate ("CTO") as follows:

1. validity of consent mechanisms is now defined as follows: CTE is valid for 5 (five) years and is extendable to 7 (seven) years; and CTO is valid depending on industry category i.e., 5 (five) years for red category, 10 (ten) years for orange category;
2. incentives are introduced for renewal of CTO/CTE i.e., for application 4 (four) months before expiry, rebate of 5% introduced;
3. late fee is prescribed for: application within 4 (four) months of expiry i.e., 25%; enhanced late fee of 50% for application within 45 (forty five) days; and 100% late fee for application post expiry;
4. restrictions on location of industries are prescribed i.e., from water bodies, settlements, sensitive zones like national parks, heritage cites;
5. a single-step procedure is introduced for obtaining both CTE/CTO and hazardous waste authorisation;

6. time period defined for grant of CTE/CTO for different categories by State Board. In absence of compliance, matter to be referred to the State Level Monitoring Committee which will dispose of the application within 30 (thirty) days from the date of its receipt;
7. a monitoring committee at State and National level will oversee and monitor the implementation of these guidelines; and
8. the CPCB, in consultation with the State Boards to develop an online portal for the purposes of these guidelines, preferably within 6 (six) months.



Battery Waste Management Amendment Rules, 2025

MoEFCC, *vide* notification dated February 24, 2025, has amended the Battery Waste Management Rules, 2022. The amendments primarily focus on simplifying the labeling and information dissemination requirements for producers, while maintaining environmental safeguards. A new clause is introduced, allowing producers to fulfill certain labeling requirements by providing written information to CPCB. Producers can print a barcode or quick response code containing their extended producer responsibility registration number on:

1. the battery or battery pack;
2. equipment containing the battery or battery pack;
3. packaging of the battery or battery pack;
4. packaging of the equipment; or
5. bulk packaging of batteries or battery packs (not for retail sale).

Compliances for extraction of borrow earth for linear projects

MoEFCC, *vide* notification dated March 17, 2025, has amended the notification dated September 14, 2006 ("**2006 Notification**"), to include Appendix XIV dealing with compliances for extraction or sourcing or borrowing of ordinary earth for the linear projects. Some of the key aspects are as follows:

1. the term 'linear projects' is inserted to mean the projects of slurry pipelines, oil and gas transportation pipeline, highways or laying of railway lines, which require extraction or sourcing or borrowing of ordinary earth above the threshold of 20,000 (twenty thousand) cubic metre and does not require prior environment clearance under the 2006 Notification;
2. comprehensive standard operating procedures and environmental safeguards for linear projects are inserted, the safeguards must be integrated into the environment clearance process for eligible linear projects; and
3. a dedicated committee has been established to decide the quantum of ordinary earth that can be extracted, sourced or borrowed for a particular project based on the prescribed criteria.

Environment (Protection) Second Amendment Rules, 2025

MoEFCC, *vide* notification dated March 26, 2025, has amended the Environment (Protection) Rules, 1986. Schedule I is amended dealing with entries relating to emission and effluent standards of caustic soda plants. These changes aim to regulate wastewater generation and pollutant discharge, ensuring that caustic soda manufacturing processes adhere to stricter environmental norms.

Environment (Construction and Demolition) Waste Management Rules, 2025

MoEFCC, *vide* notification dated April 2, 2025, notified the Environment (Construction and Demolition) Waste Management Rules, 2025 ("**C&D Waste Rules**"). They will come into effect on April 1, 2026. The C&D Waste

Rules will be applicable to all activities of construction, demolition, remodelling, renovation and repair of any structure. However, they do not apply to the waste categories or streams covered under the Atomic Energy Act, 1962 and the rules thereunder, the defence projects and other projects of a strategic nature, the waste generated due to natural disasters or by the act of war and waste covered in any other sector specific waste management rules. Some of the key aspects are as follows:

1. every producer will be responsible for the entire lifecycle of the C&D waste generated by him in an environmentally sound manner. This will include proper collection, transportation, processing, disposal and recycling of the C&D waste generated. Producers will be mandatorily required to register on the online portal and meet extended producer responsibility targets as prescribed;
2. every operator of intermediate waste storage facility, recycler and collection point established by local or development authority must register on the online portal under the C&D Waste Rules and carry on business only after registration;
3. the processed/ recycled waste must be utilised in all construction activities having built-up area of 20,000 (twenty thousand) square meters or more and road construction projects as per the targets prescribed;
4. every producer will be required to prepare and submit waste management plans, including the estimates of waste being generated and strategy for managing the same. Further the responsibilities of various entities such as waste generators, producers, recyclers, contractors, service providers, authorised agencies, operator of intermediate waste storage facility and collection point are detailed in the C&D Waste Rules; and
5. where any producer, operator of intermediate waste storage facility, recycler, occupiers of construction and reconstruction projects or any other entity, fails to comply with the provisions relating to disposal and recycling of construction and demolition waste in an environmentally sound manner, including extender producer responsibility target, utilisation of waste target under these rules, thereby causing loss, damage or injury to environment or public health, they will be liable to pay environmental compensation which

may be equal to such loss, damage or injury, as assessed by the authority.

Biological Diversity (Amendment) Rules, 2025

MoEFCC, *vide* notification dated May 6, 2025, has issued the Biological Diversity (Amendment) Rules, 2025. Some of the key amendments are as follows:

1. the procedure for obtaining a certificate of origin for cultivated medicinal plants is amended. The books containing the details of cultivated medicinal plants will be maintained by the Biodiversity Management Committee in Form 11 in the web portal;
2. the application process for obtaining certificate of origin is now fully digitalised and can be applied for via the web portal in Form 11A;
3. a fee of INR 200 (Indian rupees two hundred) is applicable for applying for a certificate of origin; and
4. Form 11 (dealing with books containing the details of cultivated medicinal plants) and Form 12 (dealing with certificate of origin) is substituted.

These amendments will come into force from November 1, 2025.



Amendments to the Wild Life (Protection) Act, 1972

MoEFCC, *vide* notification dated May 27, 2025, has amended the Wild Life (Protection) Act, 1972. Schedule I (*Part A - Mammals*) the species "Thamin" has been renamed "Sangai" for clarity and alignment with its common name, Schedule II (*Part H - Butterflies*) 2 (two) entries have been deleted and Schedule IV (*Interpretation clauses*) of the Wild Life (Protection)

Act, 1972, are amended wherein Paragraph 5 removes the phrase “in solid or liquid media,” and Paragraph 7 has been replaced to clarify that CITES listings apply to whole animals/plants and all parts and derivatives unless specifically limited by annotations.

Appointment of Director General of Forests and Special Secretary as the Management Authority under the Wild Life (Protection) Act, 1972

MoEFCC, *vide* notification dated June 11, 2025, has notified that the Central Government has designated the Director General of Forests and Special Secretary, MoEFCC, as the Management Authority for the purpose of discharging the functions and exercising the powers under the Wild Life (Protection) Act, 1972.



CPCB

Classification of sectors into red, orange, green, white and blue categories

CPCB, *vide* notification dated January 22, 2025, issued the report on classification of sectors into red, orange, green, white and blue categories. Previously, in 2016, CPCB introduced the Pollution Index (“PI”) scoring methodology, which evaluates factors like water pollution, air pollution and hazardous waste generation to determine how harmful an industry is to the environment. CPCB has revised the methodology for calculating the PI and classifying sectors into red, orange, green, white and blue categories based on

pollution levels. The revised methodology focuses on 3 (three) key pollutant groups:

1. water pollutant score which assesses water pollution based on wastewater’s oxygen demand, pollutants present and volume generated;
2. air pollutant score which evaluates air pollution from process emissions, work zone emissions (fugitive and odor) and fuel type/quantity used; and
3. waste pollutant score which considers the type and amount of hazardous, toxic, infectious, or bulk waste produced.

Standard operating procedure for petrol depots

CPCB, *vide* notification dated February 7, 2025, issued a Standard Operating Procedure (“SOP”) for petrol depots. Some of the key compliance requirements under the SOP are as follows:

1. petrol depots will have to obtain CTE prior to establishment and CTO prior to starting operations from the concerned State Pollution Control Board (“SPCB”)/ Pollution Control Committee (“PCC”);
2. prior to commissioning, petrol depots must take out 1 (one) or more insurance policies in accordance with the stipulations of the Public Liability Insurance Act, 1991;
3. prior to commissioning, petrol depots must provide a baseline monitoring data of ambient air, soil and groundwater quality (of the locations situated between the boundary of the planned storage and 50 (fifty) metres outwards) covering relevant pollutant parameters; from any laboratory recognised under the Environment (Protection) Act, 1986/ laboratory accredited by National Accreditation Board for Testing and Calibration Laboratories to concerned SPCB/ PCC. The existing petrol depots may obtain baseline data from any earliest date within a year subsequent to issuance of this SOP;
4. any major leakage/ spillage occurring inside the petrol depot or around the petrol depot during transportation/ supply of petrol/ any other activity related to the concerned petrol depot must be reported by petrol depot to the concerned

SPCB/ PCC, Petroleum and Explosive Safety Organisation, Oil Industry Safety Directorate, Petroleum and Natural Gas Regulatory Board and District Administration under intimation to CPCB within 24 (twenty four) hours of occurrence;

5. petrol depots must conduct groundwater monitoring to detect any contamination. Ground water sampling and monitoring for detection of any contamination must be done through existing piezometer/ bore well located within premises of petrol depot or within 50 (fifty) metres from petrol depot (in case no piezometer/ bore well exists in petrol depot) from at least 3 (three) different directions with reference to the expected point of groundwater contamination or in the upstream and downstream direction to the flow of groundwater with reference to the expected point of groundwater contamination;
6. groundwater monitoring wells should be monitored within 30 (thirty) days of commissioning of the petrol depots; and
7. petrol depots must install hydrocarbon detectors with alarm systems at leakage-prone locations. Spill and overfill prevention equipment are mandatory. Secondary containment systems are required to prevent environmental contamination from leaks. Further, interstitial and vapour monitoring wells are mandated for leak detection.

Guidelines for Common Bio-medical Waste Treatment and Disposal Facilities

The CPCB, *vide* notification dated April 12, 2025, has issued the Guidelines for Common Bio-medical Waste Treatment and Disposal Facilities ("CBWTFs"). The guidelines aim to enhance the safe, scientific and environmentally sound management of biomedical waste generated by healthcare facilities across India. The guidelines are applicable to all the upcoming or new CBWTFs. In case of the existing CBWTFs, these guidelines will be applicable to:

1. the existing CBWTFs desiring to expand or enhance the existing treatment capacity; and
2. the existing CBWTFs desiring to modernise the existing treatment equipment with the new equipment with enhancement in the existing treatment capacity.

The project proponent of the CBWTF is required to obtain CTE under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981, from the respective prescribed authority i.e. SPCB/PCC. Upon installation of the requisite equipment, the CBWTF operator is also required to obtain authorisation under Bio-medical Waste Management Rules, 2016 co-terminus with CTO under Water (Prevention and Control of Pollution) Act, 1976 & Air (Prevention and Control of Pollution) Act, 1981 from the respective SPCB/PCC prior to commencement of the CBWTF. Further, the CBWTF operator is also required to obtain 'Environmental Clearance' from the respective State Environment Impact Assessment Authority or MoEFCC, as the case may be, before any construction work, or preparation of land by the projects management.

These guidelines establish a uniform standard to be followed by all CBWTFs for site selection, facility design, waste transportation and treatment procedures. Amongst other key changes, these guidelines also mandate stricter measures for handling sharps waste. All sharps, such as needles and syringes, must undergo pre-treatment through autoclaving or dry heat sterilisation. Post-sterilisation, these items should be physically destroyed via shredding or mutilation to prevent any risk of reuse.



सत्यमेव जयते

नवीन एवं
नवीकरणीय ऊर्जा मंत्रालय
MINISTRY OF
NEW AND
RENEWABLE ENERGY

Ministry of New and Renewable Energy

Solar Systems, Devices and Components Goods Order, 2025

The Ministry of New and Renewable Energy ("MNRE"), *vide* order dated January 27, 2025, has notified the Solar Systems, Devices and Components Goods Order, 2025 ("Order") in supersession of the Solar Photovoltaics, Systems, Devices and Components Goods (Requirements for Compulsory Registration) Order, 2017 ("2017 Order"), with the following directions:

1. International Electrotechnical Commission (“IEC”) standard i.e. IEC 61215-1:2021, specified for: crystalline silicon terrestrial Photovoltaic (“PV”) modules; and thin-film terrestrial PV modules. This is in addition to IEC standard specified in the 2017 Order i.e. IEC 61730-1 & 2. In addition IS 14286 is made applicable on both;
2. IEC Standard i.e. IEC 62109 specified for: power inverters for use in photovoltaic power system; and utility Interconnected Photovoltaic Inverters. This is in addition to IS specified i.e. IS 16221 and IS 16169;
3. Order specifies that for the above goods/articles, the bureau will be the certifying authority;
4. license granted under the 2017 Order will not be affected. Renewal/fresh registration to be governed by the Order; and
5. for the purpose of grant of licence under this Order, a condition is introduced to set minimum efficiency i.e. the standard test conditions criteria i.e.:
 - a) efficiency of 18% for: (i) mono crystalline silicon terrestrial PV modules technology; and (ii) thin-film terrestrial PV modules;
 - b) efficiency of 17% for poly crystalline silicon terrestrial PV modules; and
 - c) efficiency of Solar PV module will be calculated as per formula provided.

Green Hydrogen Certification Scheme under the National Green Hydrogen Mission

MNRE, *vide* notification dated April 29, 2025, launched the Green Hydrogen Certification Scheme (“GHCS”) under the National Green Hydrogen Mission. The objective of the GHCS is to make India a global hub for the production, usage and export of green hydrogen and its derivatives. GHCS introduces a transparent and scientific system to certify hydrogen as “green” based on strict emissions criteria, limiting it to no more than 2 (two) kg of CO₂-equivalent per kg of hydrogen produced. The certification applies to both electrolysis and biomass-based production and is mandatory for producers seeking Government incentives or selling domestically. For exporters not availing Indian subsidies, certification is optional, though they must

comply with the destination country’s requirements. A robust 2 (two) level certification process will track both the hydrogen facility compliance and actual hydrogen output. Accredited verification agencies will audit the emissions and production data annually, ensuring credibility.

Further, MNRE or its designated agency may withdraw the certificate issued to green hydrogen producer/green hydrogen production facility if:

1. the green hydrogen producer/green hydrogen production facility has been issued provisional certificate in any one evaluation cycle and the actual emissions for that evaluation cycle post the verification by Accredited Carbon Verification/review by the technical committee for the final certificate is above the emission threshold; or
2. the green hydrogen producer/green hydrogen production facility has been issued at least 1 (one) provisional certificate and fails to apply for the final certificate before the deadline.

This milestone not only strengthens India’s green energy leadership but also lays the groundwork for international recognition in the rapidly evolving global hydrogen economy.



Indian Computer Emergency Response Team

Advisory on cybersecurity threats and best practices for satellite communications

The Indian Computer Emergency Response Team (“CERT-In”), *vide* notification dated February 4, 2025, has issued an advisory on cyber security threats and best practices for satellite communications. This advisory has been issued owing to the increased risk of cyber-attacks on satellite communications

infrastructure. With the integration of satellite communication in essential daily operations, any disruption in the same could lead to widespread repercussions.

The following risks have been highlighted as cyber security threats by CERT-In in the advisory:

1. unauthorised access to links connected to satellite in ground station can allow attackers to redirect or disable satellite functions, interrupting critical services, or even destroying the satellite for malicious purposes;
2. data transmitted between earth and satellites are required to be secure to ensure accuracy and confidentiality to avoid compromise in data;
3. satellites, as complex computing systems, may have vulnerabilities that cyber attackers could exploit to disrupt operations, inject malicious code, or compromise system integrity;
4. malicious entities may jam satellite signals, disrupting communication services, or spoof signals to send false information. Signal spoofing can affect navigation and timing systems, causing operational failures or security breaches;
5. compromising a trusted vendor or supplier can give attackers access to satellite systems, leading to data breaches and operational disruptions. Securing the entire supply chain is essential to safeguarding satellite communications;
6. artificial intelligence may automate attacks, identify vulnerabilities through large data analysis and generate convincing phishing content. These sophisticated attacks can evade traditional security measures and target specific entities, making detection and mitigation challenging;
7. 'Internet of Things' (IoT) devices connected to satellite systems can be exploited to access broader networks, enabling data theft, distributed denial of service attacks, or service disruptions. Regular updates and robust security measures are essential to mitigate these threats; and
8. physical tampering through sabotage or espionage can damage satellites and compromise operations. Space weather, such as meteoroids and solar wind, can affect satellite orientation or cause damage. Additionally, space debris poses collision risks,

potentially leading to data loss and system failures.

CERT-In has highlighted the following best practices for prevention of cyber security attacks on satellite communications infrastructure in the advisory issued:

1. implementation of multifactor authentication to insert an additional layer of security by requiring multiple forms of verification before granting access. Regular software updates and patch management is also required to be conducted to quickly address any newly discovered security flaw and protect against known vulnerabilities;
2. implementation of robust supply chain risk management strategies to reduce the chance of acquiring and deploying potentially vulnerable products into the satellite communications ecosystem and deploy antivirus and anti-malware solutions on all endpoints, including ground stations and other connected devices to help detect and prevent threats that could compromise satellite systems. It is also suggested to work closely with third-party vendors to ensure that their security measures align with your organisation's standards;
3. encryption of sensitive data, both in transit and at rest, to protect it from unauthorised access. Use of strong encryption protocols to ensure the confidentiality and integrity of data transmitted between satellites and ground stations and implementation of quantum key distribution technology;
4. implementation of strict access control measures to limit access to sensitive information and satellite systems to authorised personnel only and usage of role-based access control. Employees are required to be trained on cybersecurity best practices, including detecting phishing emails, suspicious phone calls and other social engineering tactics;
5. develop and regularly update incident response plans to quickly address and mitigate security breaches. Regular drills and simulations are to be conducted to ensure that the response team is well-prepared to handle potential cyber incidents;
6. periodic security assessments and vulnerability scans are to be conducted to identify and address potential weaknesses in satellite systems and critical data is to be backed up regularly to backup

systems which are secure and reliable. Disaster recovery plans are to be developed to ensure the continuity of satellite operations in the event of a cyberattack or other disruptive event;

7. segmenting of networks to isolate critical satellite systems from less secure networks and implementing secure configuration management practices to ensure that satellite systems and related infrastructure are configured securely. Additionally, monitoring and logging systems are to be implemented to detect and respond to suspicious activities; and
8. ensuring that physical security measures are in place to protect satellite infrastructure, including ground stations and control centres.



भारतीय प्रतिभूति और विनिमय बोर्ड
Securities and Exchange Board of India

Securities and Exchange Board of India

Industry standards for review and approval of Related Party Transactions

The Securities and Exchange Board of India ("SEBI"), *vide* circular dated February 14, 2025, prescribed industry standards specifying the minimum information required for the review and approval of Related Party Transactions ("RPT") by the audit committee and shareholders. Regulations 23(2), (3) and (4) of the SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015 ("LODR Regulations") require RPTs to be approved by the audit committee and by the shareholders, if material. Part A and Part B of Section III-B of SEBI Master Circular dated November 11, 2024, specify the information to be placed before the audit committee and shareholders for consideration of RPTs. Listed entities must follow the aforesaid industry standards to ensure compliance with Part A and Part B of Section III-B of the Master Circular read with Regulations 23(2), (3) and (4) of the LODR Regulations.

SEBI, *vide* circular dated March 21, 2025, has revised the effective date of the circular dated February 14, 2025, to July 1, 2025 (previously this was April 1, 2025). The industry standards forum will simplify the industry

standards and release the same in a time-bound manner to meet the revised timelines.

Industry standards on disclosure of material events or information

SEBI, *vide* circular dated February 25, 2025, has prescribed industry standards for effective implementation of the requirement to disclose material events or information under Regulation 30 of the LODR Regulations. Listed entities must follow the aforesaid industry standards to ensure compliance with Regulation 30 of the LODR Regulations. The industry associations which are part of ISF (ASSOCHAM, FICCI, and CII) and the stock exchanges will publish the industry standards note on their respective websites.

Industry standards on key performance indicators disclosures in the draft offer document and offer document

SEBI, *vide* circular dated February 28, 2025, has prescribed industry standards for effective implementation of the requirement to disclose Key Performance Indicators ("KPIs") in draft offer document and offer document, as mandated by the SEBI (Issue of Capital and Disclosure Requirements) Regulations, 2018 ("ICDR Regulations"). Issuer companies and merchant bankers must follow the aforesaid industry standards to ensure compliance with the ICDR Regulations. The circular has come into effect from April 1, 2025.

SEBI (Prohibition of Insider Trading) (Amendment) Regulations, 2025

SEBI, *vide* notification dated March 11, 2025, has amended the SEBI (Prohibition of Insider Trading) Regulations, 2015. Some of the key amendments are as follows:

1. the term 'unpublished price-sensitive information' is revised to include new disclosure requirements such as contract awards or terminations, rating changes, fundraising activities, agreements affecting management control and financial or regulatory actions;

2. key managerial personnel resignations, fraud, defaults, insolvency proceedings, forensic audits and legal disputes impacting a company must be disclosed;
3. structured digital databases must record external information within 2 (two) calendar days of receipt; and
4. trading window is now open for unpublished price sensitive information not originating within the listed company

Framework on social stock exchange

SEBI, *vide* circular dated March 19, 2025, has revised the existing minimum application size for subscribing to Zero Coupon Zero Principal Instruments from INR 10,000 (Indian Rupees ten thousand only) to a lower amount i.e., INR 1,000 (Indian Rupees one thousand only).

SEBI (Listing Obligations and Disclosure Requirements) (Amendment) Regulations, 2025

SEBI, *vide* notification dated March 27, 2025, has amended the LODR Regulations. Some of the key amendments are as follows:

1. Regulations 15 to 27 of the LODR Regulations will apply to a listed entity which has listed its non-convertible debt securities and has an outstanding value of listed non-convertible debt securities of INR 1000 crore (Indian Rupees one thousand crore) (earlier this was INR 500 crore (Indian Rupees five hundred crore)) and above. In case, an entity that has listed its non-convertible debt securities, triggers the specified threshold of INR 1000 crore (Indian Rupees one thousand crore) during the course of the year, must ensure compliance with the provisions of Regulations 15 to 27 within 6 (six) months from the date of such trigger;
2. where a 'high value debt listed entity' has its specified securities listed, it must comply with the provisions of Regulation 15 to 27 of the LODR Regulations. Further, once Regulation 15 to 27 become applicable to a 'high value debt listed entity', the said regulations continue to apply till

value of the outstanding listed debt securities as on March 31 in a year, reduces and remains below the specified threshold for a period of 3 (three) consecutive financial years;

3. with effect from April 1, 2025, the provisions of Regulation 23 of the LODR Regulations will be applicable in respect of a listed entity which has listed its specified securities on the SME Exchange and which has either paid up equity share capital exceeding INR 10,00,00,000 (Indian Rupees ten crore) or net worth exceeding INR 25,00,00,000 (Indian Rupees twenty-five crore), as on the last day of the previous financial year. Further, where the provisions of Regulation 23 become applicable at a later date to a listed entity which has listed its specified securities on the SME Exchange, it must ensure compliance with the same within 6 (six) months from such date; and
4. Chapter VA is inserted dealing with corporate governance norms for a listed entity which has listed its non-convertible debt securities.



ESG disclosures for value chain and introduction of voluntary disclosure on green credits

SEBI, *vide* circular dated March 28, 2025, has modified the 'Master Circular for compliance with the provisions of the LODR Regulations by listed entities'. The changes primarily revise requirements under the BRSR core, with a focus on value chain disclosures and offer options for either assessment or assurance of BRSR core. A notable inclusion is 'Green Credits' under Principle 6 of the BRSR, requiring companies to disclose the number of green credits generated or procured by both themselves and their top ten value chain partners, ranked by purchase and sale value. This aligns with the Government's Green Credit Programme

to incentivise voluntary environmental actions. Further, listed entities can make the ESG disclosures for value chain as per BRSR core in their annual report. These revised ESG disclosures will apply on a voluntary basis to the top 250 (two hundred and fifty) listed entities starting from the financial year 2025–26. For the first year, reporting of prior-year ESG value chain data will also be voluntary and from 2026–27, assessment or assurance of such data will remain voluntary.

Updates on Cybersecurity and Cyber Resilience Framework for SEBI regulated entities

SEBI, *vide* circular dated April 30, 2025, has issued clarifications to cybersecurity and cyber resilience framework for SEBI Regulated Entities (“REs”) stating that the thresholds and categorisation of prescribed REs are revised. These clarifications aim to ease the compliances and remove the bottlenecks. Pursuant to the clarification, the category of REs must be decided at the beginning of the financial year based on the data of the previous financial year. Once the category of RE is decided, RE must remain in the same category throughout the financial year irrespective of any changes in the parameters during the financial year. The category must be validated by the respective reporting authority at the time of compliance submission. If RE is registered under more than 1 (one) category of REs, the provisions applicable to the highest category will apply. Further, the criteria given and their thresholds for different categories will continue to be updated as and when required. The timeline for compliance is unchanged and remains June 30, 2025, for REs covered in the circular dated March 28, 2025.

SEBI, *vide* circular dated June 30, 2025, has further extended the timeline for implementing the Cybersecurity and Cyber Resilience Framework dated August 20, 2024, to August 31, 2025 (earlier this was June 30, 2025), for all REs, except market infrastructure institutions, know your customer registration agencies and qualified registrars to an issue and share transfer agents.

Clarification on the position of compliance officer under the LODR Regulations

SEBI, *vide* notification dated April 1, 2025, has clarified that in case a listed entity does not have a managing director or a whole-time director, then the compliance officer cannot be more than 1 (one) level below the chief executive officer or manager or equivalent.



Caution to public against fraudulent/manipulative activities on social media platforms related to securities market

SEBI, *vide* press release dated April 11, 2025, has advised the investors to exercise caution and due diligence to verify the genuineness of social media handles of SEBI registered entities while accessing them. Further, while investing in securities market, investors are advised to deal with only SEBI registered intermediaries and authentic trading apps. The details of the registration status and trading apps of the SEBI registered intermediaries can be verified on the following web links:

1. Registered intermediaries:
<https://www.sebi.gov.in/intermediaries.html>;
and
2. Trading Apps:
<https://investor.sebi.gov.in/Investor-support.html>.

SEBI (Credit Rating Agencies) (Second Amendment) Regulations, 2025

SEBI, *vide* notification dated April 22, 2025, has amended the SEBI (Credit Rating Agencies)

Regulations, 1999. Some of the key changes are as follows:

1. the term '*subscriber-pays business mode*' is inserted to mean a business model where the ERP derives its revenues from ESG ratings from subscribers including banks, insurance companies, pension funds, or the rated entity itself;
2. a proviso is inserted to Regulation 28H stating that nothing contained in the principal regulations will preclude an ERP from carrying out ESG rating of products or issuers under the respective guidelines of a financial sector regulator or any authority as may be specified by SEBI; and
3. an ERP following a subscriber-pays business model must ensure that:
 - a) the ESG rating assigned is based only on publicly available information; and
 - b) the fee paid by the subscriber is the lowest fee payable or paid amongst all the subscribers, if:
 - (i) the rated entity or issuer is a subscriber itself; or (ii) the group company or associate of an entity is a subscriber to the ESG rating of such entity or the securities issued by such entity; or (iii) only group companies or associates, of an entity, whose core business requires ESG ratings of such entity or the securities issued by such entity and are regulated by financial sector regulator(s) may subscribe to the ESG rating.

Clarificatory and procedural changes to aid and strengthen ERPs

SEBI, *vide* circular dated April 29, 2025, has provided clarifications/ guidelines in relation to the procedural/ disclosure requirements and obligations ERPs under the Master Circular for ERPs dated May 16, 2024. Some of the key aspects are as follows:

1. for ERPs following a subscriber-pays business model:
 - a) the ERP may withdraw a rating provided that there are no subscribers for the rating as on the date of withdrawal;
 - b) however, where the rated entity/ instrument is part of a rating package (e.g. Nifty 50), which continues to have

subscribers, such rating may not be withdrawn;

- c) once withdrawn, the ERP must ensure that such withdrawn rating is not made available to any subscriber in future; and
 - d) the ERP may withdraw the rating for an issuer/ rated entity in case of non-availability of the BRSR for such issuer/ rated entity;
2. for ERPs following an issuer-pays business model:
 - a) in case of rating of a security, the ERP may withdraw the rating subject to the ERP having rated the security continuously for 3 (three) years or 50 % of the tenure of the security, whichever is higher and having received NOC from 75% of the bondholders by value; and
 - b) in case of rating of an issuer/ entity, the ERP may withdraw the rating subject to the ERP having rated the issuer/ entity continuously for 3 (three) years;
 3. it is clarified that ERPs following a subscriber-pays business model may share the detailed rating rationales/rating reports, only with their subscribers and may not disclose the same on their websites. However, ERPs following a subscriber-pays business model must disclose the ESG ratings assigned on their website in the prescribed format; and
 4. the requirement to conduct internal audit will become effective for Category-II ERPs after a period of 2 (two) years from the date of issuance of the circular.



SEBI (Listing Obligations and Disclosure Requirements) (Second Amendment) Regulations, 2025

SEBI, *vide* notification dated April 29, 2025, has notified the SEBI (Listing Obligations and Disclosure Requirements) (Second Amendment) Regulations, 2025, Some of the key amendments are as follows:

1. additional disclosures are inserted to Schedule III Part D of the LODR Regulations relating to the disclosures to be made by listed entities having listed securitised debt instruments. These now include disclosures on the outstanding litigations and material developments in relation to the originator or servicer or any other party to the transaction which could be prejudicial to the interests of the investors and disclosures about defaults in connection with servicing obligations undertaken by servicer; and
2. with regards to the grievance redressal mechanism in case of securitised debt instrument, the SCORES registration may be taken at trustee level for all special purpose distinct entities they are trustee of.

Process for appointment, re-appointment, termination or acceptance of resignation of specific key management personnels of Market Infrastructure Institutions

SEBI, *vide* circular dated May 26, 2025, has issued a circular dealing with the process for appointment, re-appointment, termination or acceptance of resignation of specific Key Management Personnel (“**KMPs**”) of Verticals 1 & 2 of Market Infrastructure Institutions (“**MIIs**”). Some of the key provisions are as follows:

1. the MII must engage an independent external agency to identify and recommend suitable candidates for appointment as Compliance Officer (“**CO**”), Chief Risk Officer (“**CRiO**”), Chief Technology Officer (“**CTeO**”) and Chief Information Security Officer (“**CISO**”) or by whatever designations called. The agency must submit its recommendations to the Nomination and Remuneration Committee (“**NRC**”) of the MI;
2. the NRC will evaluate the recommendations of the agency and after discussion with the management

of the MII, submit its recommendations for appointment of such KMPs to the Governing Board of the MII;

3. the Governing Board must take the final decision for re-appointment, termination or acceptance of resignation of such KMPs. Provided that no such KMPs must be terminated unless he/she has been given a reasonable opportunity of being heard by the Governing Board;
4. the NRC must evaluate the cases of re-appointment, termination or acceptance of resignation of CO, CRiO, CTeO and CISO or by whatever designations called and after discussion with the management of the MII, submit its recommendations to the Governing Board of the MII;
5. the Governing Board must take the final decision for re-appointment, termination or acceptance of resignation of such KMPs. Provided that no such KMPs will be terminated unless he/she has been given a reasonable opportunity of being heard by the Governing Board;
6. the appointment, re-appointment, termination or acceptance of resignation of KMPs other than the managing director, CO, CRiO, CTeO and CISO will continue to be with the NRC of the MII. However, the MIIs are free to implement the above mechanism for all KMPs; and
7. the cooling-off period for non-independent directors and public interest directors will be as prescribed by the Governing Board of the MII. Further, the Governing Board of an MII must prescribe the mechanism for a cooling-off period for KMPs (including the MD) of the MII joining a competing MII as a KMP.



Framework for ESG debt securities

SEBI, *vide* circular dated June 5, 2025, has issued the operational framework for ESG debt securities ("**Framework**") to facilitate issuers to raise funds through issuance of ESG debt securities (other than green debt securities). Some of the key provisions are as follows:

1. the Framework will be applicable to ESG debt securities labelled as 'social bonds', 'sustainability bonds' and 'sustainability-linked bonds' that are listed or proposed to be listed on a recognised stock exchange;
2. debt securities will be labelled as 'social bonds' or 'sustainability bonds' or 'sustainability-linked bonds' only if the funds raised through the issuance of such debt securities are earmarked for financing or refinancing projects and/or assets aligned with any of the following recognised standards or fall under the definitions given in the following paras:
 - a) International Capital Market Association (ICMA) Principles / Guidelines;
 - b) Climate Bonds Standard;
 - c) ASEAN Standards;
 - d) European Union Standards; and
 - e) any framework or methodology specified by any financial sector regulator in India;
3. initial disclosure requirements, continuous post-listing obligations and appointment of independent third-party reviewer/certifier for 'social bonds', 'sustainability bonds' and 'sustainability-linked bonds' are prescribed in this Framework;
4. the Framework outlines the responsibilities of the issuer of social bonds/sustainability bonds. An issuer of social bonds/ sustainability bonds must:
 - a) maintain a decision-making process which it uses to determine the continuing eligibility of the project(s) and/or asset(s); and
 - b) ensure that all project(s) and/or asset(s) funded by the proceeds of social bonds / sustainability bonds, meet the documented objectives of social bonds/ sustainability bonds and utilise the

proceeds only for the stated purpose, as disclosed in the offer document; and

5. measures to mitigate the risk of purpose-washing are prescribed. An issuer desirous of issuing social bonds/ sustainability bonds must ensure the following to avoid occurrence of purpose-washing:
 - a) while raising funds for social objects/ sustainability objects, the issuer must continuously monitor if operations undertaken are resulting in reduction of the adverse social impact/ sustainable impact, as defined in the offer document;
 - b) issuer must not utilise funds raised through social bonds/ sustainability bonds for purposes that would not fall under the prescribed categories of social bonds/ sustainability bonds;
 - c) in case any such instances of misuse of funds in respect the social bonds/ sustainability bonds already issued are identified, the issuer must disclose the same to the investors and, if required, by majority of debenture holders, undertake early redemption of such debt securities;
 - d) issuer must not use misleading labels, hide trade-offs or cherry pick data from research to highlight social practices/ sustainable practices while obscuring others that are unfavorable in this behalf;
 - e) issuer must maintain highest standards associated with issue of social bonds/ sustainability bonds while adhering to the rating assigned to it;
 - f) issuer is required to quantify the negative externalities associated with utilisation of the funds raised through social bonds/ sustainability bonds; and
 - g) issuer must not make untrue claims, giving false impression of certification by a third-party entity.



SEBI to introduce 'Validated UPI Handles' and 'SEBI Check' for secured payments by investors to enhance investor protection and combat fraud

SEBI, *vide* circular dated June 11, 2025, has issued a press release notifying that with effect from October 1, 2025, SEBI will introduce a structured and validated UPI address mechanism, featuring the exclusive "@valid" handle, for all SEBI-registered investor-facing intermediaries. The core of this new framework is a mandatory, structured UPI address for intermediaries, composed of a username and a unique handle:

1. **Username:** This will be a readable name chosen by the intermediary, followed by a mandatory suffix that clearly identifies their category.
2. **Exclusive "@valid" Handle:** The handle will feature a unique and exclusive identifier, "@valid", combined with the name of the self certified syndicate bank.
3. **Visual Verification:** To ensure easy identification of legitimate transactions, investors will see a clear visual cue, a "Thumbs-Up inside a green triangle" icon, when making a payment to a registered intermediary through this new handle.
4. **Mandatory QR Code:** Intermediaries are also required to generate a QR code that prominently features this "thumbs-up" logo for investor convenience.

International Financial Services Centres Authority

Amendment to the guidelines on corporate governance and disclosure requirements for a finance company

The International Financial Services Centres Authority ("IFSCA"), *vide* notification dated April 2, 2025, has amended the guidelines on corporate governance and disclosure requirements for a finance company to align them with the IFSCA (Finance Company) Regulations, 2021 ("FC Regulations"). Part I of the circular deals with the generic guidelines that will be applicable to every finance company registered with IFSCA under the FC Regulations, except for a finance company registered for undertaking the activity of global/regional corporate treasury centre. Part II of the

circular deals with the detailed guidelines that will be applicable to a finance company registered with the IFSCA under Regulation 3 of the FC Regulations and intending to undertake activities as mentioned at Sr. No. 2 of the Schedule therein, i.e., undertaking one or more core activities with or without non-core activities, except for global/regional corporate treasury centres (earlier the exceptions under part I and II of the circular were not included).



Other developments

Union Cabinet approves 'National Critical Mineral Mission'

The Union Cabinet, *vide* press release dated January 29, 2025, has announced the approval of the National Critical Mineral Mission. The Union Cabinet, chaired by the Prime Minister Shri Narendra Modi, approved the launch of the National Critical Mineral Mission with an expenditure of INR 16,300 crore (Indian rupees sixteen thousand three hundred crore) and expected investment of INR 18,000 crore (Indian rupees eighteen thousand crore) by public sector undertakings. It will encompass all stages of the value chain, including mineral exploration, mining, beneficiation, processing and recovery from end-of-life products. The mission will intensify the exploration of critical minerals within the country and in its offshore areas. It aims to create a fast-track regulatory approval process for critical mineral mining projects. Further, it will offer financial incentives for critical mineral exploration and promote the recovery of these minerals from overburden and tailings.

Budget 2025-26 proposes framework for sustainable harnessing of fisheries from Indian exclusive economic zone and high seas

The Ministry of Fisheries, Animal Husbandry and Dairying, *vide* press release dated February 1, 2025, has reiterated the Union Budget 2025-2026 highlights, wherein the highest ever total annual budgetary support of INR 2,703.67 crores (Indian Rupees two thousand seven hundred three point six seven crores) is allotted for the fisheries sector. This overall allocation for the financial year 2025-26 has increased by 3.3% in comparison to the allocation made during last year 2024-25. It strategically focuses on enhancing financial inclusion, reducing financial burden on farmers by reducing custom duties and furthering development of the marine fisheries. The budget highlights enabling a framework for sustainable harnessing of fisheries from Exclusive Economic Zones and high seas with special focus on Lakshadweep and Andaman and Nicobar Islands. Further, the Government has increased the Kisan Credit Card lending limit from INR 3,00,000 (Indian Rupees three lakh) to INR 5,00,000 (Indian Rupees five lakh) to enhance credit accessibility for fishers, farmers, processors and other fisheries' stakeholder.



'Nuclear Mission' announced in the Union Budget 2025-26

The Department of Atomic Energy, *vide* press release dated February 5, 2025, has reiterated the Union Budget 2025-2026 highlights pertaining to the nuclear mission which marks a transformative shift in India's energy landscape and will enable nuclear power to emerge as a major source of energy in India. Union Minister, Dr. Jitendra Singh, underscored the crucial role of nuclear power in ensuring India's energy security. He emphasised the Government's futuristic roadmap for the nuclear energy sector, which will

significantly contribute to achieving self-sufficiency in energy production.

National conference on 'Sustainable Cooling and Doubling the Rate of Energy Efficiency Improvement'

The Ministry of Power, *vide* press release dated February 25, 2025, highlighted the details of the National Conference on 'Sustainable Cooling and Doubling the Rate of Energy Efficiency Improvement'. The two-day conference was jointly organised by the Bureau of Energy Efficiency and the Power Foundation of India, under the Ministry of Power, Government of India. The Hon'ble Union Minister of Power and Housing and Urban Affairs, Shri Manohar Lal, highlighted that India's power sector has made remarkable progress, with non-fossil fuel capacity reaching 47.15% and emission intensity reduced by 36%.

Prakriti 2025 - International conference on carbon markets

The Ministry of Power, *vide* press release dated February 25, 2025, highlighted the details of the International Conference on Carbon Markets. As a flagship initiative of the Government of India, organised by the Bureau of Energy Efficiency under the patronage of the Ministry of Power and MoEFCC, Prakriti 2025 served as a premier platform for in-depth discussions on global carbon market trends, challenges and future pathways.

Detailed procedure for offset mechanism under the Carbon Credit Trading Scheme

The Ministry of Power, *vide* press release dated March 28, 2025, announced that it has approved the detailed procedure for the offset mechanism under the Carbon Credit Trading Scheme ("CCTS") and 8 (eight) different methodologies under offset mechanism. The approved methodologies encompass areas like renewable energy (including hydro and pumped storage), green hydrogen production, industrial energy efficiency, landfill methane recovery and mangrove afforestation and reforestation.

This development enables businesses, industries and organisations, especially those not covered under the compliance mechanism, to participate in climate action by undertaking projects that reduce, remove, or avoid greenhouse gas emissions. Such projects can earn carbon credits for verified emission reductions, thereby expanding climate mitigation efforts beyond regulated sectors. The detailed procedure ensures that carbon credits represent real, measurable and additional greenhouse gas emission reductions, with robust validation and verification processes aligned with global standards. This initiative not only incentivises voluntary climate actions across various sectors but also strengthens India's commitment to sustainable development and its climate goals.



Supreme Court Judgments/Orders

Supreme Court of India overrules National Green Tribunal's directive, sends case back to Uttar Pradesh Pollution Control Board

The Supreme Court of India (“**Supreme Court**”), in its order dated January 18, 2025, in the case of **Waris Chemical Private Limited vs. Uttar Pradesh Pollution Control Board (“UPPCB”)**,¹ has set aside the National Green Tribunal's (“**NGT**”) directive to initiate proceedings under the Prevention of Money Laundering Act, 2002 (“**PMLA**”), against the Kanpur based firm, Waris Chemicals Private Limited, accused of polluting groundwater through hazardous chromium waste disposal. The Supreme Court ruled that once the UPPCB's initial calculation was deemed incorrect, the appropriate course for the NGT was to remand the matter for re-determination rather than directing prosecution. It also noted the absence of any complaints alleging violations of environmental laws at the time of the NGT's judgment and questioned the

NGT's jurisdiction to order prosecution under the PMLA. Consequently, the Supreme Court remanded the matter to the UPPCB for fresh determination of environmental compensation.

Supreme Court directs compliance on pollution control, vehicle registration and solid waste management in Delhi National Capital Region

The Supreme Court, in its order dated January 27, 2025, in the case of **M.C. Mehta vs Union of India**², passed orders concerning the multiple environmental concerns vis-s-vis Delhi National Capital Region (“**Delhi NCR**”):

1. The Supreme Court addressed pollution caused by thermal power plants in the Delhi NCR in reference to the Environment (Protection) Rules, 1986, which sets emission standards under Schedule I. Thermal power plants are categorised based on installation dates, with compliance timelines prescribed therein. The Supreme Court directed the Union of India to clarify modifications to Table I and the distinction between retiring and non-retiring units. A list of 11 (eleven) coal-based thermal power plants was identified, with concerns raised about delayed compliance affecting Delhi's pollution levels. The Commission for Air Quality Management was also tasked with recommending interim pollution control measures for these plants in consultation with the Ministries of Power and Environment, with a report due in 1 (one) month.
2. The Supreme Court addressed the issue of color-coded stickers and High Security Registration Plates (“**HSRP**”) for vehicles as per the Motor Vehicles Act, 1988 and the Central Motor Vehicles Rules, 1989. It referenced the 2018 order, which mandates manufacturers and dealers to provide HSRPs and third registration marks (hologram stickers) for all vehicles sold after April 1, 2019. The court modified its earlier order of August 13, 2018, and directed National Capital Region (“**NCR**”) states to enforce compliance, including penal action under Section 192(1) of the Motor Vehicles Act, 1988, for non-compliant vehicles. The Central and NCR State Governments were also

¹ Civil Appeal No. 6398 OF 2024

² Writ Petition(s)(Civil) No(s). 13029/1985

instructed to explore policies promoting electric vehicles and submit reports on compliance.

3. Particularly relating to Delhi's solid waste management and non-compliance with the Solid Waste Management Rules, 2016, the Supreme Court has directed the Delhi Government and the Municipal Corporation of Delhi ("MCD") to file an affidavit on or before March 17, 2025 setting out the best practices they propose to follow in connection with source segregation, biodegradable waste management, material processing, plastic waste management, sanitary waste management, landfill management and technological innovations. The Supreme Court has directed the Delhi Government and the MCD to follow the best practices adopted in other cities in India. It also pointed out that a report of the Niti Aayog of 2021 enlists certain cities which are following the best practices.



Supreme Court issues directions in Vellore river pollution case

The Supreme Court, in its judgment dated January 31, 2025, in the case of **Vellore District Environment Monitoring Committee vs. The District Collector, Vellore District & Others**,³ observed that the pollution caused by tanneries to the Palar River, Vellore District has resulted in damage to the water bodies, groundwater and agricultural lands, thereby affecting public life and health. The Supreme Court emphasised on several key environmental principles:

1. the 'Doctrine of Public Trust' holds that essential natural resources are held by the State in trust for public benefit and cannot be privatised or exploited in ways that harm public interest. Courts

worldwide have expanded their application to protect wetlands, riparian forests and ecologically fragile lands, emphasising environmental conservation in response to modern challenges. In *M.C. Mehta v. Kamal Nath* (1997), the Supreme Court explicitly recognised the Public Trust Doctrine, stating that resources vital for public use cannot be subject to private ownership. This principle was reaffirmed in *Vedanta Limited v. State of Tamil Nadu* (2024), where the Court underscored the State's duty to balance economic development with environmental and public welfare concerns.

2. 'Sustainable Development' seeks to balance economic progress with environmental protection, ensuring that development does not cause irreparable ecological harm. The principle, first recognised in the Stockholm Declaration (1972) and later refined in the Brundtland Report (1987) and the Rio Earth Summit (1992), is now an accepted part of customary international law. Indian courts have upheld this principle in several landmark cases.
3. the 'Right to a Healthy Environment' is recognised as an integral part of the right to life under Article 21 of the Indian Constitution. This includes the right to pollution-free air and clean drinking water, essential for a dignified life. The State has a constitutional duty to safeguard, restore and prevent encroachment of water bodies to ensure access to clean water and protect public health.

Further, the Supreme Court while determining liability, reaffirmed that environmental protection is not only a regulatory duty but a constitutional obligation, requiring continuous monitoring, enforcement and preventive action by both State authorities and industries to prevent irreparable ecological damage. In this context the Supreme Court also analysed the 'Polluter Pays Principle' and the 'Precautionary Principle' to ascertain the liability to pay compensation.

Furthermore, while discussing community access to environmental data, the Supreme Court noted "*Another emerging concept in the corporate world is the ESG, a positive step by the corporates to pledge their commitment to preserve the ecology by assessing their*

³ 2025 INSC 131

impact on the environment. An interplay between the corporate social responsibility and ESG ought to be facilitated to ensure not only compliance of the norms but also to ensure voluntary disclosure."

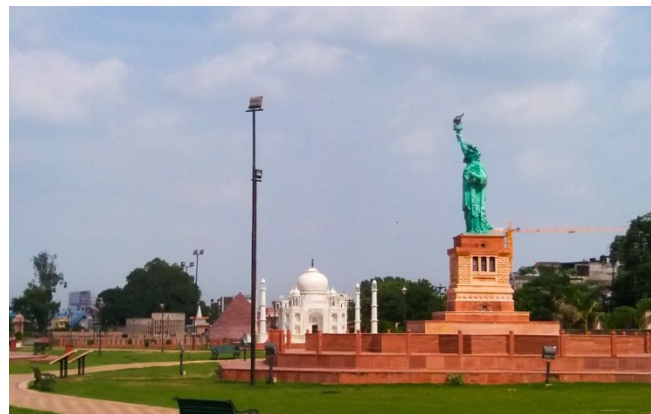
The Supreme Court issued extensive directions to various stakeholders, primarily focusing on environmental restoration, pollution control and ensuring accountability. The State Government was directed to compensate affected families per previous awards and recover the amount from polluters through legal means. A high-level committee, chaired by a retired High Court Judge, is required to be formed within 4 (four) weeks to audit and restore environmental health in Vellore District. This committee will be required to assess new compensation claims, reverse ecological damage, prohibit untreated industrial discharge and establish pollution control mechanisms. The State-level committee should also comprise of representatives from the CPCB, the SPCB and the Secretary of Home. This committee should be responsible for presenting an annual compliance report to the concerned High Court or NGT.

The Supreme Court also directed closure of non-compliant industries, implementation of stringent measures against illegal sand mining, including real-time surveillance with drones and GPS, State-wide audits of all rivers, assess degradation and publish findings publicly and implementation of a comprehensive river restoration plan, including desilting and pollution removal. The directions emphasise environmental protection, sustainable industrial practices and strict regulatory enforcement to ensure long-term ecological balance.

Supreme Court stays Centre's order exempting certain projects from green clearance under the environment impact assessment norms

The Supreme Court, in its order dated February 24, 2025, in the case of ***Vanashakti vs. Union of India***,⁴ passed a stay order on the Central Government's Office Memorandum dated January 30, 2025, and the notification dated January 29, 2025, exempting certain building and construction projects from mandatory prior environmental clearance. The public interest

litigation was filed in the Supreme Court by a non-governmental organisation against the Centre's move exempting certain projects from prior green nod. It also challenged the Office Memorandum which clarified that educational institutions would include private technical institutions, professional academies, universities along with warehouses, industrial sheds and housing machinery.



Supreme Court orders demolition of the Seven Wonders Park

The Supreme Court, in its order dated March 17, 2025, in the case of ***State of Rajasthan & Others vs. Ashok Malik & Others***,⁵ has directed the Rajasthan Government to remove or relocate the structures of the Seven Wonders Park situated near Ana Sagar Lake in Ajmer within 6 (six) months. The hon'ble bench noted that the park's development contravened the Wetland (Conservation and Management) Rules, 2017 and the city's master plan. Despite a December 2023 order from the NGT mandating the removal of unauthorised constructions around the lake, the State authorities continued with the park's development. The Court dismissed the State's plea to remodel the park, noting that the area must be cleared to preserve the lake's ecological balance.

Supreme Court sets aside NGT, Chennai orders and emphasises upon the need for 'sustainable development' harmonising and striking golden balance between right to development and clean environment

The Supreme Court, in its judgment dated March 17, 2025, in the case of ***The Auroville Foundation vs.***

⁴ Writ Petition(s)(Civil) No(s). 166/2025

⁵ Civil Appeal No(s). 7607/2023

Navroz Kersasp Mody & Others,⁶ has set aside the impugned orders passed by the NGT, Chennai and allowed civil appeals of the Auroville Foundation against the judgment of the NGT, Chennai. The Supreme Court stated that there is a need for 'sustainable development' harmonising and striking a golden balance between the right to development and the right to clean environment. The Court also stated that in the instant case, no substantial question relating to environment had arisen, nor violation of any of the enactments specified in Schedule-I of NGT Act, 2010 was alleged and that the NGT therefore had committed gross error in assuming the jurisdiction and giving directions untenable in law.



Supreme Court restores tree-cutting restrictions in the Taj Trapezium Zone to protect green cover

The Supreme Court, in its order dated March 25, 2025, in the case of **M.C. Mehta vs. Union of India**,⁷ has reversed its December 2019 order that had permitted tree felling for agro-forestry activities on non-forest and private lands within the Taj Trapezium Zone ("TTZ"). The TTZ is a defined area of around Taj Mahal where polluting activities are banned in order to protect the monument. The earlier order was passed despite there being a standing direction that no trees could be felled in the TTZ without the Supreme Court's permission. In the absence of a clear definition or conceptual framework for agro-forestry in this context, the court held that the exemption could not be sustained. Consequently, the earlier order dated December 11, 2019 was recalled. Hence, the said exemption cannot continue in the absence of any material or definition on record, the court made it clear. The bench, comprising Justices Abhay S. Oka and Justice Ujjal Bhuyan, directed the Central Empowered

Committee ("CEC") to submit a report within 4 (four) weeks defining the scope and meaning of agro-forestry and providing its recommendations. The Court also allowed the concerned parties to submit relevant material in support of their positions for the CEC's consideration.

Supreme Court directions on felling of trees in the TTZ

The Supreme Court, in its order dated May 6, 2025, in the case of **M.C. Mehta vs. Union of India & Others**,⁸ has issued the following key recommendations:

1. For areas that are located beyond an aerial distance of 5 km from the Taj Mahal, the following recommendations are made:
 - a) for rural areas in TTZ where the agroforestry crop is of eucalyptus, poplar, or melia dubia: The concerned Divisional Forest Officer can be vested with the power to allow felling of 49 (forty nine) trees standing on an agricultural land under private ownership located in rural areas. Further, for trees numbering 50 (fifty) and above standing on agricultural land under private ownership, located in rural areas, the permission for felling will be granted by the Divisional Forest Officer only after approval of the CEC; and
 - b) for felling of trees in all other cases: The concerned Divisional Forest Officer may allow felling of 49 (forty nine) trees standing on a private land holding, after prior approval of the CEC. In cases where the number of trees is more than 50 (fifty), the current practice of prior permission of this hon'ble court must continue.
2. For lopping/pruning of trees/ removal of trees in emergencies: The concerned Divisional Forest Officer may allow lopping/pruning of trees in exceptional cases where such actions are necessary to prevent property damage or mitigate threats to human life. Additionally, the officer may authorise the removal of fallen trees to ensure smooth traffic flow. In all cases, the concerned Divisional Forest Officer must record the reasons

⁶ Civil Appeal No(s). 5781-5782 OF 2022

⁷ Writ Petition(s)(Civil) No(s). 13381/1984

⁸ Writ Petition (Civil) No.13381/1984

and maintain such records duly countersigned by the concerned Conservator of Forests and upload all the information on the MIS portal for TTZ maintained by the CEC.

The recommendations indicate that as far as areas located within an aerial distance of 5 kilometers from the Taj Mahal are concerned, the original order dated May 8, 2015, will continue to operate, effectively no tree, whether fewer than 50 (fifty) or otherwise, may be felled within a 5 km aerial radius of the Taj Mahal without prior Supreme Court approval. Further, the Supreme Court has directed the CEC to file a fresh report within a period of 2 (two) months, indicating what restrictions on tree felling should be imposed for protecting the other 2 (two) world heritage structures within the TTZ Area, namely Agra Fort and Fatehpur Sikri.



Supreme Court allows felling of Khair trees

The Supreme Court, in its order dated March 26, 2025,⁹ in the case of ***TN Godavarman Thirumulpad vs. Union of India*** has permitted the felling of khair trees on Government forest lands in Himachal Pradesh and Jammu & Kashmir, providing much-needed relief to the respective State and Union Territory administrations. In Himachal Pradesh, the Supreme Court's decision follows a petition filed by the State Government, which argued that timely extraction of khair trees is essential for sustainable forest management and preventing decay of aging trees. In the Union Territory of Jammu &

Kashmir, the Supreme Court granted permission to modify the forest management plan for the years 2016–2026 specifically for the Bhaga - Sirila area in the Reasi Forest Division. This order facilitates both forest management and revenue generation. Controlled felling will not only rejuvenate the forests but also generate crucial revenue for the State exchequer.

Supreme Court directions on tree felling in Kancha Forest, Gachibowli, Hyderabad

The Supreme Court, in its order dated April 3, 2025,¹⁰ has directed the Chief Secretary of the State of Telangana to ensure that, until further orders are passed by the Supreme Court, no tree felling will be permitted in the Kancha Gachibowli forest area near Hyderabad Central University. The Supreme Court took suo moto cognisance of the issue, prompted by the extensive media coverage and public outcry over clearing of approximately 100 (one hundred) acres of forest land. Further, in its order dated April 16, 2025, the Supreme Court directed the Wildlife Warden of the State of Telangana to take immediate steps to protect the wildlife affected by the deforestation.

Supreme Court issues notices to various thermal power plants in Punjab

The Supreme Court, in its order dated May 1, 2025, in the case of ***M.C. Mehta vs. Union of India & Others***,¹¹ has issued notices to thermal power plants relating to the compliance by thermal power plants, regarding the installation and commissioning of flue gas desulfurisation units and has directed the Union of India to provide their addresses. The Supreme Court pointed out that flue gas desulfurization units play a very important role in curbing pollution.

Supreme Court mandates preparation of a District Survey Report for sand mining

The Supreme Court, in its judgement dated May 8, 2025, in the case of ***State of Uttar Pradesh & Another***

⁹ Writ Petition (C) No. 171 of 1996 [I.A. No. 55806 Of 2025 And I.A. No. 55814 Of 2025]

¹⁰ Suo Motu Writ Petition (C) No. 3 of 2025

¹¹ Writ Petition(s) (Civil) No(s). 13029/1985

vs. Gaurav Kumar & Others,¹² has held that a valid and final District Survey Report (“DSR”) is mandatory to grant environmental clearance for mining activities. Further, the Court has stated that a draft DSR is a non-existent DSR for the purposes of granting environmental clearance. The court has also stated that a DSR must be prepared for all the districts and the draft is to be placed in the public domain.

Supreme Court on illegal allotment of forest land allotted to private entities

The Supreme Court, in its judgement dated May 15, 2025, in the case of **T.N. Godavarma Thirumalpad. vs. Union of India & Others**,¹³ has held that allotment of 11.89 (eleven point eight nine) hectare of reserve forest land in Survey No.21 Kondhwa Budruk in district Pune for agriculture purposes on August 28, 1998 and subsequent permission given for its sale in favour of Richie Rich Cooperative Housing Society (“RRCHS”) on October 30, 1999 was illegal. Further, the court held that the Environmental Clearance granted by the MoEFCC on July 3, 2007 to RRCHS is illegal and is accordingly quashed and set aside. The court directed that the possession of the forest land, which is reserved as a forest land, but is in possession of the Revenue Department, should be handed over to the forest department within a period of 3 (three) months. The court further directed the Chief Secretaries of all the States and the Administrators of all the Union Territories to constitute special investigation teams for the purpose of examining as to whether any of the reserved forest land in the possession of the revenue department has been allotted to any private individuals/institutions for any purpose other than the forestry purpose.



¹² 2025 INSC 650

¹³ 2025 INSC 701

High Court Judgments/Orders

Punjab and Haryana High Court directs State to take action against illegal constructions in DLF City, Gurugram

The High Court of Punjab and Haryana, in its judgment dated February 13, 2025, in the cases of **DLF City Residents Welfare Association and Another vs. State of Haryana and Others** and **DLF-3 Voice vs. State of Haryana**,¹⁴ passed a writ of mandamus upon the respondents to take appropriate prompt action on the illegal/unauthorised constructions in DLF City, Gurugram and to conclude the actions taken within 2 (two) months from the date of the judgment (i.e., February 13, 2025). The court observed that the respondents had failed to take substantial actions pursuant to the Action Taken Reports and Memos directing them to correct the several illegal and unauthorised construction/development violations. The court stated that “*it is amply clear that a powerful lobby of certain groups/land mafia, are ruining the very basic character of the developed colony in active connivance with the local administration/official respondents that too only because the authorities have turned a blind eye and are permitting such illegal and unauthorised constructions/ illegal developments, which are coming up at an alarming rate right under their nose. Further, the illegal and unauthorised constructions/developments are also in clear violation of the Zoning Plan, Building Bye Laws, 2016/ Building Bye Laws, 2017/ Haryana Building Code and in case such haphazard and unplanned development is not stopped it will lead to total collapse of over infrastructure of Gurugram including but not limited to potable drinking water, sewerage, air quality, transport, electricity, other common infrastructure and other facilities & amenities.*”

Punjab and Haryana High Court on illegal mining in river Satluj

The High Court of Punjab and Haryana, in its order dated June 13, 2025, in the case of **Gurdial Singh Kachure vs. The State of Punjab**,¹⁵ dismissed the petition for grant of anticipatory bail to the petitioner who is the registered owner of the JCB machine indulging in illegal mining in river Satluj. The court stated that humanity has suffered enough

¹⁴ 2025 SCC Online P&H 663

¹⁵ 2025:PHHC:076092

environmental damage especially to the river as well as to the environment at large and that the offence of illegal mining in rivers needs to be taken in all seriousness despite less punishment prescribed under the Mines and Minerals (Development and Regulation) Act, 1957 and therefore, the court deemed it appropriate not to interfere in the matter.



The Gauhati High Court directs Assam Government to file a report reflecting the measures taken to tackle hill cutting problem in Guwahati

The Gauhati High Court, in its order dated March 17, 2025, in the cases of ***North East Eco Development Society vs. The State of Assam and Others***,¹⁶ directed the Assam Government to provide details of the measures taken to address hill cutting in Guwahati and surrounding areas. The Hon'ble Bench emphasised the urgency of the matter, noting that unchecked hill cutting contributes significantly to artificial flooding and environmental degradation in the region. The Court acknowledged recommendations made by the amicus curiae and urged the State Government to incorporate them into its flood mitigation strategies.

Gujarat High Court on illegal encroachments in and around Chandola Lake in Ahmedabad

The High Court of Gujarat, in its order dated May 6, 2025, in the case of ***Samsuddin Jainulabiddin Shaikh & Others vs. The State of Gujarat & Others***,¹⁷ has ordered that in absence of any document justifying the construction of the petitioners, the demolition should be stayed till rehabilitation of the petitioners. The court

emphasised that under the Constitution of India, the petitioners' have a right to shelter and right to livelihood and the same may not be compromised. Further, in relation to the prayer of the petitioners to consider them to provide alternative accommodation under the rehabilitation Scheme of the State Government, the High Court directed that it is open for the petitioners to make their individual applications, if they are eligible, along with requisite documents to respondents. Once such individual applications are filed, the authority must consider the same in accordance with law.

Kerala Government informs Kerala High Court that it intends to file an admiralty suit against MSC Mediterranean Shipping Company SA

The High Court of Kerala, in its order dated June 12, 2025, in the case of ***Mr. T.N. Prathapan vs. Union of India & Others***,¹⁸ has directed both the Central and State Governments to take swift and effective measures to secure compensation and protect the marine environment following another maritime accident involving the ship WAN HAI 503 near Kerala's Kannur coast. The case arises from the mishap involving a ship 'WAN HAI 503' which caught fire off the Kannur coast, with a likelihood of substantial risk to the marine environment.

Further, the court in its next hearing dated June 19, 2025, stayed the negotiation process initiated by the State with the MSC Mediterranean Shipping Company SA over the loss caused due to the sinking and consequent cargo loss of MSC Elsa stating that that negotiations concerning substantial environmental damage should not be conducted behind closed doors without public disclosure or procedural safeguards as it could raise questions about the transparency and fairness of the negotiations. The court reasoned that it could be argued that since the harm affects the public directly, the process of settlement cannot remain confidential or hidden from public view and that the public has a right to know the basis of the negotiations, the extent of the damage assessed, the terms being proposed and the principles on which the settlement is being structured. Secondly, whether such a binding

¹⁶ GAHC010033122024

¹⁷ R/Special Civil Application No. 6716 of 2025

¹⁸ WP(PIL) NO. 50 OF 2025(S)

settlement between the State and the respondent-company could affect the claims in the proposed Admiralty Suit as there could be a risk that once an agreement is signed, it may affect subsequent legal steps, even if the terms are not adequate or fair.



NGT Judgments/Orders

NGT order regarding constructions on Yamuna floodplain in Delhi

The NGT, *vide* order dated January 21, 2025, has disposed of the original application registered *suo motu* based on the news items titled "*DDA ignores directions to remove official constructions on floodplain, builds more*" and "*DDA flouts NGT's guidelines, continues construction on crowded Yamuna floodplain in Delhi*" published in The Hindu daily dated April 18, 2024 and April 16, 2024, respectively. The news items alleged that illegal constructions have come up in the floodplain of Yamuna and the Delhi Development Authority ("**DDA**") has failed to remove them. The NGT stated that the National Mission for Clean Ganga ("**NMCG**"), which is the competent authority under the River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016, has already examined the issue and the team constituted by the NMCG has suggested the remedial action which is required to be complied with by the DDA.

NGT takes action against alleged illegal mining of the Aravalli hills

The NGT, *vide* order dated January 22, 2025, has directed the CPCB along with SPCBs of Haryana and Rajasthan, to file their responses in respect of illegal mining and blast of a hillock of the protected Aravalli range on the Haryana-Rajasthan border. The application was registered *suo motu* on the basis of the news item titled "*Mining mafia brings down another*

Aravalli hill" appearing in The Tribune dated December 21, 2024. A 2023 study by Rajasthan, cited in the article, revealed that between 1975 and 2019, nearly 8% of the Aravalli hills had disappeared and report alleges that mining mafias use a strategy of blasting hills in Rajasthan, where mining is partially legal, to encroach into Haryana's protected areas. The 2023 study cited in the article warns that if unchecked, illegal mining and urbanisation could lead to a 22% loss of the Aravalli hills by 2059.

NGT directs MoEFCC and CPCB to issue norms for mining of soil by brick kilns

The NGT, *vide* judgment dated February 25, 2025, has directed MoEFCC to clarify the legal position with respect to grant of environmental clearance for mining of soil by brick kilns for the purpose of brick making. MoEFCC is also directed to specify the agency that will approve and monitor such mining by/for brick kilns. Further, CPCB is directed to issue guidelines for adoption of requisite measures for conservation of topsoil and restoration/reclamation of land subjected to mining of soil for brick making. The guidelines must also indicate the fly ash disposal mechanism, green cover, metalling of the roads that carry soil/brick etc., water sprinkling for dust mitigation, restoration of mined areas and usage of ground water.

NGT takes action against encroachment of Yamuna floodplains

The NGT, *vide* order dated February 6, 2025, has allowed the DDA 3 (three) weeks' time to file a fresh affidavit and disclosing their attempt to comply with the various orders passed by the Supreme Court, the Division Bench of the High Court of Delhi and NGT pertaining to the encroachment on the flood plains of the river Yamuna. NGT, *vide* order dated October 17, 2019, had directed that the flood plains of a river cannot be allowed to be occupied as such occupation could damage the ecology of the river and had directed DDA, Delhi Pollution Control Committee and Forest Department to keep the river Yamuna free from encroachment. Similar orders were passed by the Supreme Court and the Delhi High Court. In spite of these orders, the flood plain of the river Yamuna in the Delhi stretch had not been cleared from encroachment. DDA submitted that a serious effort will be made to

comply with these orders and hence, their request of 3 (three) weeks' time to file a fresh affidavit and disclosing their attempt to comply with the various orders was allowed.



NGT order on CPCB report reflecting exceedance of ozone in various cities

The NGT, *vide* order dated March 21, 2025, has allowed MoEFCC 4 (four) weeks' time to file a reply pertaining to the CPCB report reflecting exceedance of ozone in the monitoring stations at various cities. Further, NGT has directed CPCB to disclose matching the observed values with National Ambient Air Quality Standards particularly with reference to exceedance criteria adopted for more than 5% against exceedance of 2%.

NGT forms a committee to prepare a report on illegal construction and non-forest activities within Nahargarh Wildlife Sanctuary

The NGT, *vide* order dated April 8, 2025, has directed a four-member joint committee to look into allegations of illegal construction and non-forest activities within the Nahargarh Wildlife Sanctuary. The court directed the committee to visit the site and submit a factual and action taken report within 6 (six) weeks (i.e., by May 20, 2025).

NGT stays the felling of trees by a real estate company in Delhi

The NGT, *vide* order dated May 5, 2025, in the case of **Ranu Bala vs. MoEF&CC & Others**, has directed the respondents to file their response/reply by way of affidavit before the tribunal 1 (one) week before the next date of hearing (September 8, 2025). Till the next date of hearing, the authorities should ensure that no illegal felling of trees takes place in the area concerned that the project proponents do not indulge in raising any illegal construction. In the original application, the applicant has alleged illegal felling of trees by a real estate developer company. The allegation of the applicant is that the company has violated the environmental norms by carrying out the activity in their project, namely, "The Omaxe State", Sector 19-B, Dwarka, New Delhi.

NGT directs CPCB to modify its siting criteria guidelines

The NGT Southern Zone, Chennai, *vide* order dated June 25, 2025, in the case of **Muhammed Risham vs. District Collector Office & Others**, has directed the CPCB to modify its siting criteria guidelines and prescribe the siting criteria even for areas where the master plans or detailed town planning schemes are not in place and the areas have not yet been designated into residential/commercial/mixed residential/industrial. Further, the tribunal stated that such an exercise should be taken up immediately by the CPCB and pending the same, the Petroleum & Explosives Safety Organisation and the Revenue Authorities must make field inspections and identify the number of residences in the said area and consider the grant of no objection certificate, treating the areas with many residential buildings on par with 'designated residential area as per local laws. This order arises from a case where the siting criteria guidelines issued by the CPCB for new petroleum retail outlets were not clearly defined for areas lacking specific local law designations.

Environment, ESG and Climate Change Practice

JSA advises and represents clients in environmental disputes before the NGT, High Court(s) and the Supreme Court. We also advise clients on ESG issues and assist them in ensuring compliance with the relevant laws. The Firm has been regularly advising clients in matters relating to climate change and energy transition.

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18 Practices and
41 Ranked Lawyers



7 Ranked Practices,
21 Ranked Lawyers



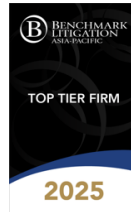
14 Practices and
12 Ranked Lawyers



12 Practices and 50 Ranked
Lawyers



20 Practices and
22 Ranked Lawyers



8 Practices and
10 Ranked Lawyers
Highly Recommended in 5 Cities



Recognised in World's 100 best
competition practices of 2025



Among Best Overall
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14 Ranked Practices



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