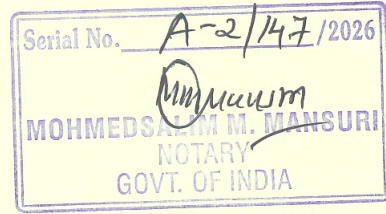


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27 MAR 2026

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

ORIGINAL APPLICATION NO. 79 OF 2025 (WZ)

(Earlier Original Application No. 317 of 2025 PB)

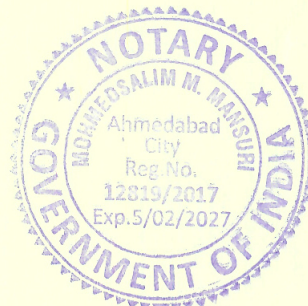
IN THE MATTER OF:

IN RE: NEWS ITEM APPEARING IN THE INDIAN EXPRESS DATED 09.06.2025 TITLED "37 OUT OF 172 WATER BODIES IN AHMEDABAD HAVE 'VANISHED': CIVIC BODY REPORT"

AFFIDAVIT ON BEHALF OF RESPONDENT NO. 5 - AHMEDABAD MUNICIPAL CORPORATION

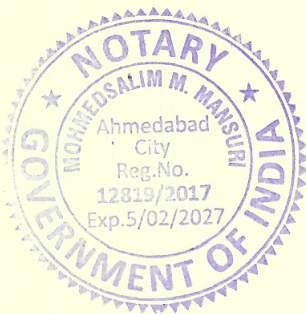
I, RAVAL RIDDHESH PRITAMLAL, adult, Indian, presently serving as Deputy Commissioner (Estate & U.D.) Ahmedabad Municipal Corporation, having office at Sardar Patel Bhavan, Danapith, Ahmedabad - 380001, Gujarat, do hereby solemnly affirm and state on oath as under:

1. I am an authorized officer of the Ahmedabad Municipal Corporation ("**AMC**"), Respondent No. 5 in the above-captioned Original Application, and am well conversant with the facts and records of the present matter. I am competent and duly authorized to swear this affidavit on behalf of Respondent No. 5 - AMC.




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(Estate / U.D. / Tax / H.Cell)
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2. I respectfully state that the present Original Application has been registered suo motu by this Hon'ble Tribunal on the basis of a news item published in The Indian Express dated 09.06.2025 titled "37 out of 172 water bodies in Ahmedabad have 'vanished': Civic body report". The matter was initially registered before the Hon'ble Principal Bench and thereafter transferred to the Hon'ble Western Zone Bench.
3. I state that this Hon'ble Tribunal, by order dated 12.11.2025, was pleased to implead the Urban Development & Urban Housing Department of the State of Gujarat as Respondent No. 4 and Ahmedabad Municipal Corporation as Respondent No. 5, and directed the newly impleaded respondents to file their reply affidavits. The present affidavit is being filed in compliance with the said directions and the earlier orders dated 28.08.2025 and 03.07.2025. For the convenience of the Hon'ble Tribunal the relevant excerpt of the order dated 12.11.2025 is reproduced hereinbelow:



"3. Having read out the above paragraphs, learned counsel for Respondent No.2 submits that in the light of above direction, it is essential to implead Urban Development & Urban Housing Department of the State of Gujarat as well as Municipal Corporation of Ahmedabad as Respondents in the present Original Application. We allow his prayer and direct the Registry to implead these two Authorities as Respondent Nos.4 & 5 respectively and place on record an amended memo of parties. Thereafter, issue notice to the newly impleaded Respondent Nos.4 & 5 to file their reply affidavits in this matter, returnable within four weeks."

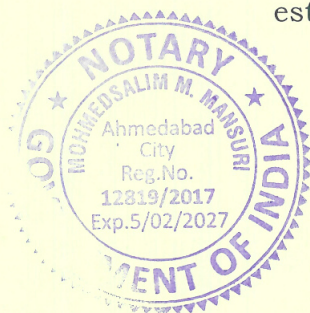
4. At the outset, it is respectfully submitted that the news article forming the basis of the present proceedings is premised upon a generalized interpretation of an internal working report and

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secondary studies, without examining the statutory framework governing ownership, vesting, control and development of water bodies, and without appreciating the distinct roles and jurisdiction of various authorities, including the State Government, and the Municipal Corporation.

5. It is submitted that AMC is a statutory local authority constituted under the provisions of the Gujarat Provincial Municipal Corporations Act, 1949 and functions strictly within the powers, duties and responsibilities conferred upon it under the said Act and other applicable laws. AMC does not claim ownership over all water bodies situated within the municipal limits of Ahmedabad, nor does it exercise unfettered control over the same.

6. It is respectfully submitted that, as a matter of law, all water bodies vest in the State Government by virtue of Section 37 of the Bombay Land Revenue Code, 1879 (**"BLRC"**). Section 37(1) categorically provides that all rivers, streams, nallas, lakes, tanks, canals, water-courses and all standing and flowing water, together with lands which are not the property of individuals or legally capable aggregates, are and are declared to be the property of the Government, subject to legally established private rights and other laws in force.



"37. (1) All public roads, lanes and paths, the bridges, ditches, dikes, and fences, on or beside, the same, the bed of the sea and of harbours and creeks below high water-mark, and of rivers, streams, nallas, lakes, and tanks, and all canals, and water-courses, and all standing and flowing water and all lands wherever situated, which are not the

(Signature)
Deputy Muni. Commissioner
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property of individuals, or of aggregates of persons legally capable of holding property, and except in so far as any rights of such persons may be established, in or over the same, and except as may be otherwise provided in any law for the time being in force are and are hereby declared to be, with all rights, in or over the same, or appertaining thereto, the property of the Government, and it shall be lawful for the Collector subject to the orders of the State Government, to dispose of them in such manner as he may deem fit, or as may be authorized by general rules sanctioned by the Government concerned, subject always to the rights of way, and all other rights of the public or of individuals legally subsisting.

Explanation. - In this section "high-water-mark" means the highest point reached by ordinary spring-tides at any seasons of the year.

(2) Where any property or any right in or over any properties is claimed by or on behalf of the Government or by any person as against the Government, it shall be lawful for the Collector or a survey officer, after formal inquiry of which due notice has been given, to pass an order deciding the claim.

(3) Any suit instituted in any Civil Court after the expiration of one year from the date of any order passed under sub-section (1) or sub-section (2), or, if one or more appeals have been made against such order within the period of limitation, then from the date of any order passed by the



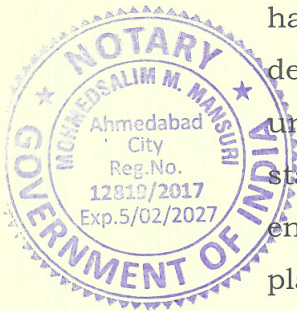
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final appellate authority, as determined according to section 204, shall be dismissed (although limitation has not been set up as a defence) if the suit is brought to set aside such order or if the relief claimed is inconsistent with such order, provided that in the case of an order under sub-section (2) the plaintiff has had due notice of such order.

(4) Any person shall be deemed to have had due notice of an inquiry or order under this section if notice thereof has been given in accordance with rules made in this behalf by the State Government”

7. It is respectfully submitted that in view of the statutory mandate under Section 37 of the Bombay Land Revenue Code, AMC does not and cannot unilaterally assume ownership or control over water bodies. Any vesting, entrustment or handling over of a water body to AMC for purposes of development, maintenance, protection or rejuvenation is undertaken only pursuant to specific orders of the competent state authority. AMC acts strictly within the scope of such entrustment and in accordance with applicable development plans, town planning schemes, environmental norms and judicial directions.

8. Without prejudice to the above, AMC submits that it has acted diligently and proactively in respect of water bodies entrusted to it. Over the past several years, AMC has undertaken development, rejuvenation and protections works, including desilting, storm water integration, fencing, landscaping and ecological restoration, whenever assigned.



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9. It is respectfully submitted that whenever water bodies are required to be developed or maintained by AMC, the same are handed over by the State Government by way of specific orders or resolutions. The date and manner of such handing over is generally recorded in the 7/12 Extract and AMC acts only thereafter in its capacity as a local authority entrusted with limited responsibilities of development and maintenance.
10. Without prejudice to the above legal position, it is respectfully submitted that AMC has acted diligently, proactively and in a time-bound manner in respect of water bodies which have been allotted or entrusted to it. Over the past five years, AMC has undertaken development, rejuvenation and protection works in respect of several such water bodies in accordance with law.
11. At this stage, it is most respectfully submitted that the city of Ahmedabad has been witnessing rapid and continuous expansion of its municipal limits. As a consequence of such expansion, several peripheral and outlying areas have, from time to time, been amalgamated within the territorial jurisdiction of the AMC. In process of such incorporation, the historical records pertaining to water bodies, as reflected in the revenue records, are duly traced and verified. Thereafter, in coordination with and under the guidance of the State Government, many such water bodies are formally handed over to the AMC for the purposes of their protection, preservation and rejuvenation in accordance with applicable law and environmental norms.



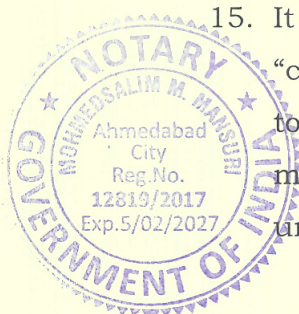
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12. I state that, over the past five years, AMC has consistently engaged in the removal of encroachments from various water bodies entrusted to it. It is respectfully submitted that the removal of encroachments is an ongoing and continuous process, undertaken as and when the answering respondent is entrusted with such responsibility. In furtherance of the aforesaid, the answering respondent has been and continues to undertake necessary measures including, but not limited to, issuance of notices, preparation of panchnamas, coordination with revenue authorities and police administration and implementation of rehabilitation policies wherever required, in accordance with law.

13. It is respectfully submitted that AMC has not acted in a selective or arbitrary manner. Each water body is dealt with on a case-to-case basis, keeping in view its legal status, ownership, inclusion in development plans or town planning schemes, environmental sensitivity, and directions issued by Hon'ble Courts and Tribunals.

14. It is respectfully submitted that the present proceedings originate solely from a newspaper article, without the author of the article, journalist, or the entity responsible for preparation and interpretation of the underlying report being before this Hon'ble Tribunal.

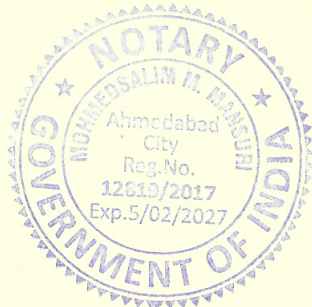
15. It is respectfully submitted that in absence of any such "confidential report" being on record, AMC is being compelled to respond to generalized allegations and inferences drawn in a media report, without an opportunity to confront or clarify the underlying factual assumptions. Further, it is respectfully




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submitted that there appears to be no such “confidential report”, which is relied upon by the authors of the said news paper article.

16. It is respectfully submitted that the AMC has acted *bona fide*, diligently and in accordance with law in all matters relating to water bodies within its jurisdiction. There has been no willful neglect, deliberate inaction or violation of statutory or environmental norms on the part of AMC. AMC reiterates its commitment to protection of ecology, preservation of water bodies, removal of encroachments in accordance with law, and sustainable urban development, and undertakes to comply with any further directions that may be issued by this Hon’ble Tribunal.
17. The answering Respondent craves leave of this Hon’ble Tribunal to file additional affidavit(s), documents or status reports, as and when directed or as may be necessitated by subsequent developments.




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VERIFICATION

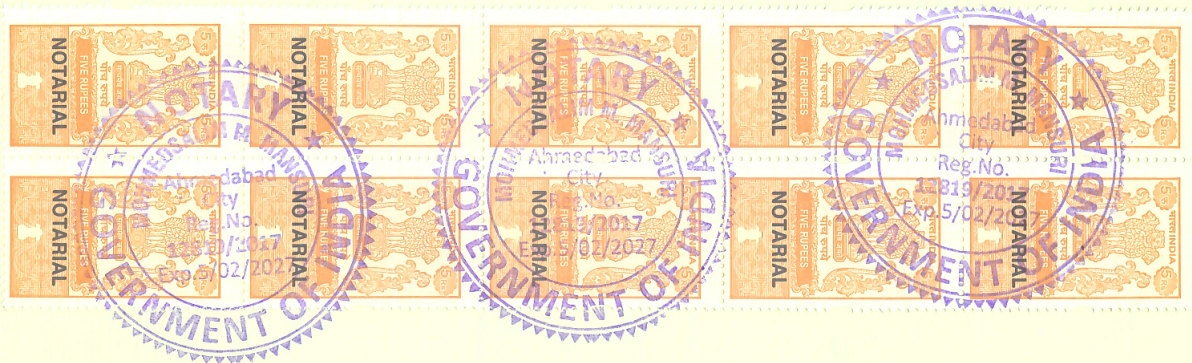
I, RAVAL RIDDHESH PRITAMLAL, Deputy Commissioner

(Estate & U.D.) _____, do hereby solemnly affirm and state on oath that what is stated herein above is true to the best of my knowledge, information and belief; and I believe the same to be true.

27 MAR 2026

Solemnly affirmed at _____ on this the _____ day of _____, 2026.

Deponent
Deputy Muni. Commissioner
(Estate / U.D. / Tax / H.Cell)
Ahmedabad Muni. Corporation



SOLEMNLY AFFIRMED
BEFORE ME

MOHMEDSALIM M. MANSURI
NOTARY
GOVT. OF INDIA

27 MAR 2026