

# 3146

BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE

APPEAL NO. 26 OF 2025 (WZ)

GO GREEN FOUNDATION TRUST & ORS. ...APPELLANTS

VS.

UNION OF INDIA ...RESPONDENTS

## Index

Sr no.	Annexure	Particulars	Page no.
1.		A copy of Affidavit in Reply on behalf of Respondent No. 10.	

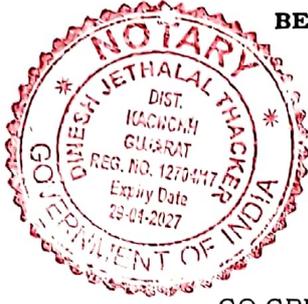


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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

WESTERN ZONE BENCH, PUNE

APPEAL NO. 26 OF 2025 (WZ)

IN THE MATTER OF

GO GREEN FOUNDATION TRUST & ORS ...APPELLANTS

VS

UNION OF INDIA ...RESPONDENTS

**AFFIDAVIT-IN-REPLY ON BEHALF OF PRINCIPAL CHIEF  
CONSERVATOR OF FOREST, STATE OF GUJARAT,  
RESPONDENT NO. 10**

1. I, Harsh J. Thakkar, aged adult, being Deputy Conservator of Forest – Kutch West Division, being authorized signatory and representative of Principal Chief Conservator of Forest and Chief Wildlife Warden, Government of Gujarat having communication address at Block A, 1<sup>st</sup> Floor, Aranya Bhavan, Bear CH- 3 Circle, Sector 10-A, Gandhinagar, Gujarat - 382010 do hereby solemnly state on oath and submit that:-

1.1 I have perused the contents, submissions, reports, annexures filed by the parties herein. Further I have perused the Orders passed by this Hon'ble Tribunal. I state that I am aware about the facts involved the present Appeal

  
Dy. Conservator of Forest  
Kachchh West Division, Bhuj

4 DEC 2025

and I am competent to make the present Affidavit – in – Reply (hereinafter referred as “Answering Respondent”).

1.2 The captioned matter is challenging the Environment Clearance and CRZ Clearance granted by the Ministry of Environment, Forest & Climate Change MoEF & CC, respondent No. 1 (hereinafter referred as “MoEF & CC”) to Project-Proponent GHCL Ltd, Respondent No. 13 (hereinafter referred as “Respondent No. 13”). The said Environment Clearance and CRZ was granted for setting up Respondent No. 13’s Soda Ash Plant located at Village Bada, Taluka – Mandvi, District Kutch, in Gujarat for following productions: -

- a. 11,00,000 TPA capacity of Light Soda Ash (LSA)
- b. 5,00,000 TPA capacity of Dense Soda Ash (DSA)
- c. 2,00,000 TPA capacity of Sodium Bicarbonate (SBC)

1.3. It is respectfully submitted that the project is categorized as Category-A of item 4 (e) Soda Ash Industry and 1 (d) under the Environment Impact Assessment Notification, 2006, hence required appraisal at Central Level by Expert Appraisal Committee. The answering Respondent respectfully submits that it has only limited procedural and facilitative role in EC and CRZ clearances.

1.4. **ENVIRONMENT CLEARANCE**

  
Dy. Conservator of Forest  
Kachchh West Division, Bhuj



- I. Answering Respondent humbly submits that Environmental Clearance is granted in accordance with the procedure prescribed under the Environment Impact Assessment Notification, 2006 and its subsequent amendments, by the competent authority i.e., the MoEF & CC, Government of India.
- II. The technical appraisal is undertaken by the Expert Appraisal Committee (hereinafter referred as "EAC") which is independent statutory body; thereafter the final authority for granting the Environment Clearance is MoEF&CC.
- III. Answering Respondent humbly submits that pursuant to proposal of EC submitted by Project Proponent; the MoEF & CC issued the Terms of Reference dated 10.08.2021 (hereinafter referred as "TOR"). Therefore, the Project proponent was required to submit the approved Conservation plan before MoEF & CC.
- IV. The answering Respondent humbly produces the relevant clause of TOR issued by MoEF & CC wherein the submission of Conservation Plan was suggested to Project Proponent.

*"5 (v) - Wildlife Conservation Plan duly authenticated by Chief Wildlife Warden of the State*

  
Dy. Conservator of Forest  
Kachchh West Division, Bhuj



*Government for conservation of Schedule I fauna, if any exists in the study area"*

- V. In accordance with the TOR, the answering respondent received the conservation plan dated 09.11.2023 for schedule I species from Project Proponent. Accordingly, after due scrutiny and suggestions the answering respondent authenticated the conservation plan of Rs. 136.50 lakhs on 24.04.2023 for the purpose of wildlife mitigation, without expressing any opinion on Environmental Clearance, CRZ clearance, Project feasibility, Project siting, cumulative impact assessment, or any matter falling within the jurisdiction of MoEF & CC or GCZMA.
- VI. The Answering Respondent is neither the regulatory authority nor the appraisal body for Environment Clearance. Therefore, there is no role in granting EC or CRZ Clearance.



### 1.3 COASTAL REGULATION ZONE CLEARANCE

- I. Answering Respondent humbly submits that the PCCF does not undertake the appraisal or grant of Coastal Regulation Zone Clearance (hereinafter referred as "CRZ Clearance") and therefore cannot be attributed responsibility for the merits or conditions

  
/ Dy. Conservator of Forest  
Kachchh West Division, Bhuj

of such clearances. With respect to CRZ are granted by the Gujarat Coastal Zone Management Authority (Hereinafter referred as "GCZMA").

II. Further, the GZCMA is a regulatory authority constituted by the Central Government as per the Notification dated 20.12.2022, it has a functional autonomy to carry out regulatory mandate.

III. The answering respondent is merely the committee member; however, the decision of recommending to grant the CRZ Clearance is unanimous decision of the GZCMA and not independent decision of the answering Respondent.

1.6. It is reiterated that the answering respondent does not exercise decision-making authority over either Environmental Clearance or CRZ clearance. The answering Respondent's role is strictly confined to technical assessment of conservation plan therefore the role of the answering Respondent is quite limited.

2. In view of the above, the answering Respondent humbly prays that the allegations and reliefs pertaining to the validity, legality, or appraisal of the EC and CRZ Clearances may not be fastened upon answering Respondent, as it is not the competent authority directly involved in granting the EC or CRZ Clearance.



  
Dy. Conservator of Forest  
Kachchh West Division, Bhuj

3. The answering respondent craves leave to file further submissions or material, if so, directed by this Hon'ble Tribunal.
4. Therefore, in light of above answering respondent humbly prays to this Hon'ble Tribunal to delete the name of answering Respondent i.e. Respondent No. 10, PCCF.
5. This Hon'ble Tribunal may please to pass any Order as deem fit and proper in the interest of justice. The answering Respondent assures to abide by all or any directions that may be issued by this Hon'ble Tribunal.



AND FOR THIS ACT OF KINDNESS AND JUSTICE THE  
RESPONDENT NO. 10 AS IN DUTY BOUND SHALL EVER PRAY.

Date -

Place -

Deponent

Respondent no. 10

Dy. Conservator of Forest  
Kachchh West Division, Bhuj

VERIFICATION

I, Harsh J. Thakkar, aged adult, being Deputy Conservator of Forest - Kutch West Division, being authorized signatory and representative of Principal Chief Conservator of Forest and Chief Wildlife Warden, Government of Gujarat having communication address at Block A, 1st Floor, Aranya Bhavan, Bear CH- 3 Circle, Sector 10-A, Gandhinagar, Gujarat - 382010 solemnly states that the contents of the Affidavit are true and correct and best of my knowledge, nothing stated therein is false and nothing material has been concealed therefrom.



Date -  
Place -

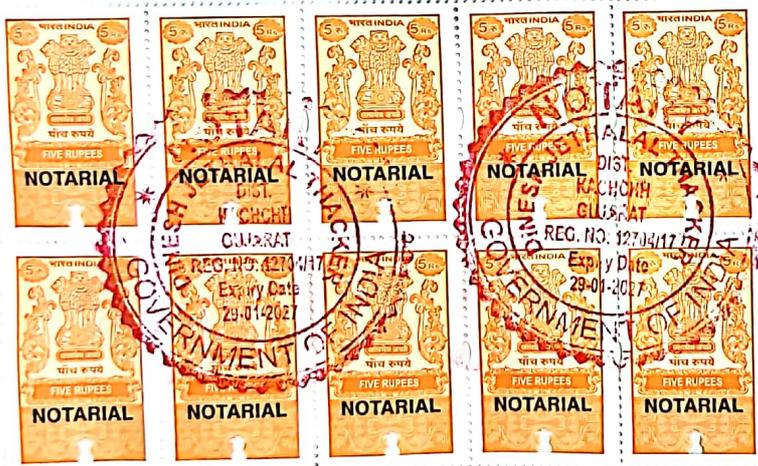
*[Signature]*  
Deponent

Respondent no. 10

IDENTIFIED BY MR:

*[Signature]*  
Adv. K. T. Maheshwari

*[Signature]*  
Dy. Conservator of Forest  
Kachchh West Division, Bhuj



SOLEMNLY AFFIRMED  
BEFORE ME

*[Signature]*  
DINESH J. THACKER  
NOTARY  
GOVT. OF INDIA

54 DEC 2025