

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

OA NO. 147 OF 2023 (WZ)

IN THE MATTER OF

Irfan Baloch & Ors.

...APPLICANT

VS

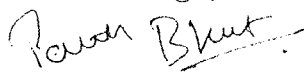
MoEF&CC & Ors.

...RESPONDENTS

INDEX FOR AFFIDAVIT-IN-REPLY ON BEHALF OF  
RESPONDENT NO. 3 - CHIEF CONSERVATOR OF FOREST -  
WILDLIFE

Sr. No.	Particulars	Annexure	Pg Nos.
1.	Affidavit -in- Reply for Respondent No. 3	-	
2.	Affidavit in support	-	
3.	Copy of letter submitting draft of report to Gujarat State Pollution Control	A	

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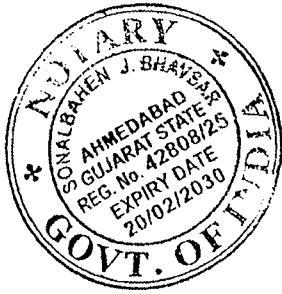


Parth H. Bhatt, Advocate

For Respondent No. 3

office@bhattandco.in

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
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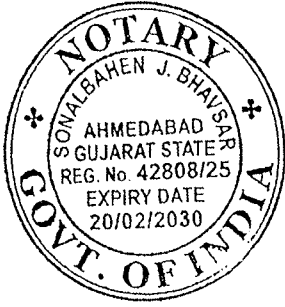
**AFFIDAVIT-IN-REPLY ON BEHALF OF RESPONDENT NO. 3 –**  
**CHIEF CONSERVATOR OF FOREST - WILDLIFE**

I, Dr Mohan Ram, 40 years, Conservator of Forest, Junagadh Forest Circle, Junagadh do hereby solemnly state on oath and submit that:

- I say and state that answering deponent is filing the present affidavit in due compliance of the direction issued by this Hon'ble Tribunal in the order dated 25.03.2026; the relevant extract of order dated 25.03.2026 passed by this Hon'ble Tribunal is reproduced herein below for ready reference of this Hon'ble Tribunal.

*“3. We fail to understand as to why a draft report that too defective one, was placed on record by the respondent no. 3-Chief Conservator Forest Wildlife.*

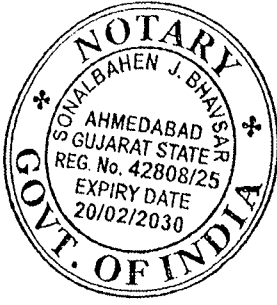
*Therefore, we direct the learned Registrar to write a letter to the Chief Conservator Forest, asking for the*



*explanation as to why the final report had not been submitted and defective draft report was submitted to us as well as to the GPCB. Let, this explanation be submitted within two weeks."*

2. In this regard at the outset, I most humbly & respectfully submit my unconditional and unquantifiable apology for the inconvenience caused to this Hon'ble Tribunal. I, on behalf of State of Gujarat assure this Hon'ble Tribunal that such mistakes will not be repeated henceforth in future.
3. I say and submit that this Hon'ble Tribunal vide an order dated 10.10.2023 was pleased to constitute a committee comprising of the following members: -
  - i. The Chief Conservator of Forest, State of Gujarat;
  - ii. The District Collector, Morbi, State of Gujarat; and
  - iii. The Secretary, Environment Department, Government of Gujarat.
4. Further, this Hon'ble Tribunal was pleased to direct State Pollution Control Board to upload the report which is jointly prepared by the aforesaid authorities. The relevant extract of the order dated 10.10.2023 passed by this Hon'ble Tribunal is reproduced herein below for the ready reference of this Hon'ble Tribunal.

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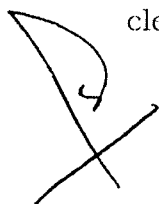
*“19. The report in the matter be submitted by SPCB through e-filing by using portal of NGT in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.”*

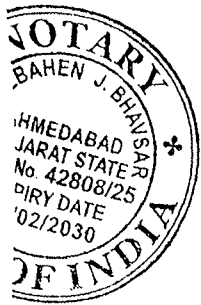
5. In due compliance of the aforesaid direction, the members of the Committee have called upon the Applicants, Government as well as Private respondents of the captioned OA and other stakeholders to submit their statements and representations and evidences in support of same. The Committee has visited at Rampara Sanctuary, Morbi and the adjoining areas. Further the Committee along with other officials visited sample of two windmills namely BHOJ-08 (GPS 22.55413,70.94888) and BHOJ-09 (GPS 22.54854,70.95093) to observe the ground reality in view of the contentions raised by the Applicants and the statements submitted by the respondents. As per the statements of concerned parties and the site inspection, the Committee has observed that there is no veracity to the allegations made in the captioned OA and observed following points amongst other: -

- i. Not a single windmill has been installed within the Sanctuary.

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- ii. A total of 10 windmills are situated within the Eco-Sensitive Zone of the Rampara Wildlife Sanctuary.
- iii. The allegations regarding blasting and/or illegal mining during the construction phase are unsubstantiated, as no credible evidence has been furnished by the Petitioner, nor were such activities observed during the Committee's site inspection.
- iv. There has been no observed change in wildlife habitat usage, nor any increase in instances of human-wildlife conflict attributable to the construction of the windmills.
- v. There is no violation of the lease order issued by the Collector or of any terms and conditions stipulated therein.
- vi. The No Objection Certificate (NOC) granted by the Chief Wildlife Warden to the Collector, Morbi, for the 20-year lease in favour of Maruti Wind Park (India) Pvt. Ltd. for the establishment of windmills in the Eco-Sensitive Zone of Rampara Sanctuary is just and valid; as the permissions from National Board for Wildlife Board is required for the wildlife clearances.

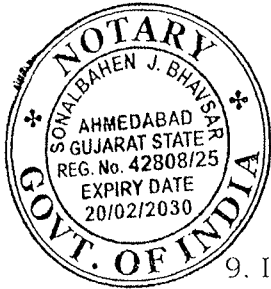
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6. Thereafter, a draft report was prepared by the office of the answering Respondent and circulated to the Gujarat State Pollution Control Board for its perusal, comments, and necessary modifications, so that the final report could be submitted before the Hon'ble Tribunal; copy of the letter is annexed and marked as **ANNEXURE -A**.
7. Thereafter, Gujarat Pollution Control Board uploaded the draft report of Joint Committee on 23.09.2024 on Hon'ble NGT's Portal.
8. However, it appears that instead of final report, the draft which was circulated by the office of Answering Respondent came to be mistakenly uploaded by Gujarat Pollution Control Board. The said mistake was observed and recorded by this Hon'ble Tribunal dated 24.09.2024. The relevant extract of the order dated 24.09.2024 passed by this Hon'ble Tribunal is reproduced herein below for the ready reference of this Hon'ble Tribunal.

*"2. It appears from the record that vide letter (undated), a draft report of the Joint Committee had been submitted by the Chief Conservator of Forests, Junagadh to the Member Secretary, Gujarat Pollution Control Board for their perusal and comments/modifications, if any. A copy of the said letter along with copy of the draft Joint Committee report has been e-filed, which is said to be defective.*

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*We have perused the said report of the Joint Committee, wherein it is concluded that there is no truthfulness in the allegations made in the present Original Application."*

9. I say and submit that this Hon'ble NGT vide order dated 25.03.2026 once again observed that a defective report still continues to be placed on record of the Hon'ble Tribunal and no corrective steps had been taken therefore the Hon'ble NGT expressed displeasure and called for explanation of Answering Respondent as to why defective report was submitted to the Hon'ble NGT. In this regard, I most respectfully submit that the report uploaded on 23.09.2024 on the Hon'ble NGT's Portal, was not by the Answering Respondent, the said report was uploaded by the Gujarat Pollution Control Board, perhaps inadvertently. Therefore, the Answering Respondent being State Government apologies for and behalf of the Gujarat Pollution Control Board.

10. I further tender my unconditional apology for delay in filing of the present affidavit. I say that the exercise being undertaken by the office of the Answering Respondent in investigating the true cause for the mistake committed in uploading defective report. I once again assure this Hon'ble Tribunal that the state and its instrumentalities will be diligent and responsible in

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complying the direction issued by this Tribunal we ensure best of its ability that such incidents are not repeated.

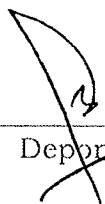


11. The answering Respondent states that in the event the Hon'ble Tribunal gives any direction to the Answering Respondent to render any reasonable assistance to any regulatory agency or other agency the administration shall extend all reasonable co-operation and assistance to concerned regulatory and enforcement agencies. I further submit that the Answering Respondent shall at all times abide by the legal orders passed by the Hon'ble Tribunal, and execute all and any directions as may be issued by the Hon'ble Tribunal in the present application.

12. The Answering Department craves leave to file additional affidavits, documents and submissions, as may be necessary, for the proper adjudication of the present Application, and reserves its right to do so as and when required.



Date - 22/4/2026  
Place - Ahmedabad

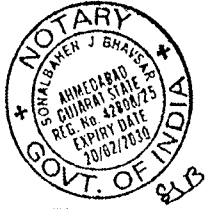
  
Deponent

#### VERIFICATION

I, Dr. Mohan Ram, Age 40 years, serving as Conservator of Forests Junagadh Forest Circle, Sardarbaug Junagadh, solemnly states that the contents of the Affidavit are true and correct and best of my knowledge,

*Bhavsa Sonali*  
SONALBAHEN J. BHAVSAR  
NOTARY  
GOVT. OF INDIA

nothing stated therein is false and nothing material has been concealed therefrom.



Date - 22/4/2026

Place - Ahmedabad

*[Signature]*  
Deponent

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

OA NO. 147 OF 2023 (WZ)

IDENTIFIED BY ME

*[Signature]*  
ADVOCATE

Name: *Dr. Ravi Adhyay*  
Sanad No. *Legal Super First D. E. Punjab G. Adhyay*

IN THE MATTER OF

Irfan Baloch & Ors.

...APPLICANT

VS

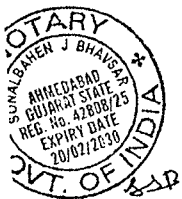
MoEF&CC & Ors.

...RESPONDENTS

AFFIDAVIT

I, Dr. Mohan Ram, Age 40 years, serving as Conservator of Forests Junagadh Forest Circle, Sardarbaug Junagadh. I have gone through the Reply and I state that the reply is drafted under my instructions. Contents and statements made herein the above in para 1 to 12 of reply are true and correct to the best of my knowledge and belief; and as per the data available on the record.

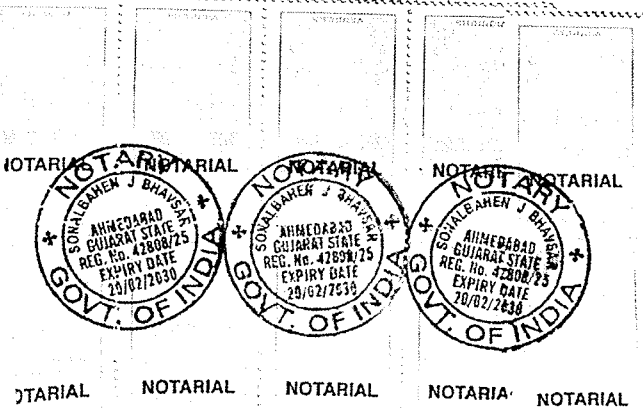
Solemnly affirmed on 22 day of April 2026 at Ahmedabad



*[Signature]*  
Deponent

SOLEMNLY AFFIRMED  
BEFORE ME

*Bhavsa Sonali*  
SONALBAHEN J. BHAVSAR  
NOTARY  
GOVT. OF INDIA



Outward No B/ LEGAL/ T7/ 3366-70 of 2024-25  
Office of the Chief Conservator of Forests  
Junagadh Circle, Sardarbaug,  
Junagadh 362 001

Date:

To

✓  
The Member Secretary  
Gujarat Pollution Control Board  
Gandhinagar

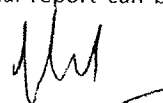
**Sub:** Hon'ble NGT Original Application No 147/2023 (WZ)

Imran Baloch & Ors vs MOEFCC & Ors

**Ref:** 1. Order of Honble NGT Western Bench, in the matter of Original Application No 147/2023 (WZ) dated 10/10/2023

2. Government of Gujarat, Forest and Environment Department e-letter no. FED/ COC/ efile/ 6/2024/0056/W dated 09/01/2024

With reference to the above matter, a committee consisting of Chief Conservator of Forests, Junagadh, Director Environment, Collector Morbi was specially constituted for examining the matters raised by the petitioners in the above-mentioned OA. The committee performed site visit to Rampara sanctuary and the adjoining areas and recorded the statements of petitioners and other relevant persons on 30/01/2024. Subsequently, after reasonable time was granted for any of the parties to represent any information to the committee, it was brought to the notice of the undersigned vide DCF Morbi letter no A/ Land/ T10/ 309 dated 11/06/2024 that no further representation whatsoever has been received in the above-mentioned matter. Hence, considering all the evidences gathered on record and as per observations during the site visit, a draft joint committee report is being shared with you for your kind perusal and comments/ modifications if any. You are kindly requested to go through the same and give your written suggestions in a week's time from receipt of this letter so that the final report can be submitted as per the Hon'ble tribunal directions.



(K Bamesh)

Chief Conservator of Forests  
Junagadh

**Copy submitted to:** Chief Wildlife Warden and PCCF Wildlife Gujarat State for information

**Copy with Compliments to:** The Director, Environment Department, Govt of Gujarat, Gandhinagar for information

**Copy with Compliments to:** District Collector, Morbi for information

**Copy to:** Deputy Conservator of Forests, Morbi Forest Division for information