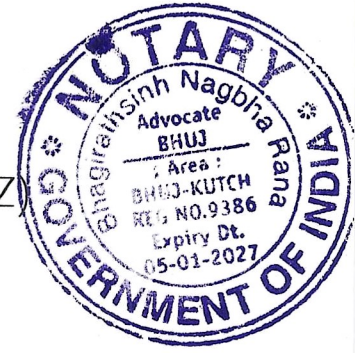


BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

ORIGINAL APPLICATION NO. 20 OF 2026 (WZ)



IN THE MATTER OF:

SURTAJI HAMIRJI JADEJA

... APPLICANT

VERSUS

STATE OF GUJARAT & ORS.

...RESPONDENTS

**AFFIDAVIT IN REPLY ON BEHALF OF RESPONDENT NO. 6 -
GUJARAT COASTAL ZONE MANAGEMENT AUTHORITY**

I, Sumitkumar Surendra Chauhan, adult, having my office at First Floor, Katira Complex, Sanskar Nagar, Bhuj, Kutch, Gujarat do hereby solemnly affirm and state on oath as under:

1. I am presently serving as Member Secretary, District Level Coastal Regulation Zone Committee, Kutch (West) and Regional Officer, Gujarat Pollution Control Board, Kutch (West) in the State of Gujarat. I am conversant with the facts of the case and the status of preparation of management plans. I am authorised to file the present affidavit on behalf of the Gujarat Coastal Zone Management Authority and am otherwise competent to make the present affidavit.
2. I deny all the averments made and the contentions raised in the memo of the petition filed by the applicant. No part of the application shall be deemed to have been admitted by the

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deponent unless it has been specifically admitted by the deponent hereinafter.

3. The grievance of the applicant as voiced in the application, is that Shri Bhagwati Buildinfra Private Limited – Respondent No. 10 is carrying on activities which violate the conditions contained in Coastal Regulation Zone Clearance dated 09.08.2024 (as per official record available with the authority, the CRZ Clearance granted to Respondent No. 10 is dated 12.08.2024). The acts and actions of Respondent No. 10 which are claimed by the applicant to be offending the clearance dated 12.08.2024 are:

- Making borewells and extracting ground water;
- Making land pits to store the extracted ground water;
- Diverting the natural flow of river Luni by constructing embankments; and
- Clearing mangroves for developing access roads to the project site.

4. The applicant, complaining about the aforesaid activities being committed by Respondent No. 10, has filed the present praying for the following principal reliefs:

“A) Direct the constitution of a Joint Committee to carry out a site inspection, look into the issues and grievances raised above in the present Application and submit a Factual and Action Taken Report;

B) Direct the Respondent authorities to restrict all operations of the Respondent No. 10 company in violation of the Coastal Regulation Zone Notification, 2011 and 2019 as well as the Environment Impact Assessment Notification, 2006 issued under the Environment (Protection) Act, 1986, and the Consent To Establish and Operate under the Water (Prevention and Control of

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Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981;

C) Direct the Respondent authorities to forthwith cancel/suspend all the working/operating permits and permissions on the basis of which the Respondent No. 10 company is operating its unit;

D) Pass an order directing Respondent No. 10 company to deposit sufficient sum,/compensation under Section 15 of the National Green Tribunal Act, 2010 read with the Environment Compensation Fund Rules, 2026 for restoration and redressal of the environmental damage done till now including towards restoration and restitution of the Rivers Mithi, Khari and Kangwari, which are tributaries of River Luni;..”



5. I state that the applicant, prior to filing the present application, has not submitted any complaint to the regulatory authority. At no point of time before filing of the present application has the applicant approached in offices of District Level Coastal Regulation Zone Committee or State Coastal Zone Management Authority and produced material prima facie indicating that Respondent No. 10 is indulging in any activity that constitutes a breach of conditions of CRZ Clearance dated 12.08.2024. Even in the present application the applicant has not stated with sufficient clarity as to where or in which area the borewells have been dug and pits have been created for storage of extracted ground water. Also, there is no specificity as regards the location where the applicant claims that Respondent No. 10 has diverted the natural flow of river Luni. Again, the suggestion of illegal clearing of mangroves by Respondent No. 10 is vague and without sufficient details.

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6. The applicant has stated in the application that Respondent No. 10 is operating unit for manufacturing of salt and marine chemicals over and area of about 15,000 hectares. Considering the vastness of the land occupied and being used by Respondent No. 10 for carrying on its business activity, it is almost impossible for the regulatory authority to ascertain the correctness of otherwise of the allegations made by the applicant in the present application, more so when the applicant has omitted giving specific particulars about the location where unauthorised or illegal activities are being carried out by the project proponent within its premises.
7. Nevertheless, the regulatory authority remains committed to verifying the allegation of violation of CRZ Clearance conditions by the project proponent and to take appropriate and necessary action in accordance with law in case the project proponent is found to be violating any conditions of CRZ Clearance dated 12.08.2024.
8. It is submitted that the answering respondent has no objection to the prayer of the applicant for constitution of a joint committee (including all concerned departments) being granted for the purposes of carrying out a site visit and ascertain the correctness or otherwise of the complaints made by the applicant and verifying the legitimacy of the activities being carried out by Respondent No. 10. The regulatory authority assures that necessary action shall be taken post receipt of report by the joint committee, or as may be directed by this Hon'ble Tribunal.



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VERIFICATION

Verified at Bhuj, Kutch on this 22nd day of April 2026 that the contents of the above affidavit are true and correct, nothing stated therein is false and nothing material has been concealed therefrom.

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SOLEMNLY AFFIRMED
BEFORE ME

Bob

Bhagirathsinh N. Rana
"NOTARY" Kutch District

Bhuj- Kutch

Sr No 2441 / 2026

Date 22/4 /2026

22 APR 2026

