

Before the National Green Tribunal sitting at Chennai

Appeal No. 11 of 2023

Fishing Boat Owners' Association
& Others .. Appellants

v.
Kerala Coastal Zone Management Authority
& Others .. Respondents

**REPLY AFFIDAVIT FILED BY THE APPELLANTS AGAINST
THE ADDITIONAL DOCUMENTS DATED 13.3.2024
FILED BY THE 1ST RESPONDENT**

Dr V.N. Sankarjee (S-173) (K-532/1992)
Carmel Buildings, Banerji Road, Ernakulam, 682018

Counsel for the Petitioners/Appellants

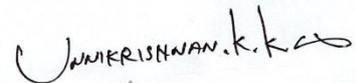
of Ports is that the same should be provided above the navigational path of the river underneath. Thus the directives in Annexure A6 as referred to in the order dated 18.1.2024 shall be followed without any lapse or dilution.

3. The Honourable Supreme Court in *M.C. Mehta v. Kamal Nath*, 1997 KHC 1313; (1991)1 SCC 388, declared that the doctrine of public trust is the law of the land. This decision lays down that sea, river, forest, etc. constitute the public trust. The right of the general public for navigation and also fishing forms part of the doctrine of public trust. Thus the obstruction to navigation amounts to violation of the doctrine of public trust.

Therefore it is most humbly prayed that this Honourable Court be pleased to discard or reject the additional documents filed by the Member Secretary, KCZMA/1st respondent on 13.3.2024 and it is also necessary to reject all the contentions based on these documents in the interest of justice and for proper and effective adjudication of the case. Otherwise we would be put to irreparable injury, loss and hardships.

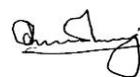
What all stated above in paragraphs 1 to 3 in the reply affidavit are true to the best of our knowledge, information and belief as derived from the records and we believe the same to be true.

Dated this the 28th day of May, 2024.



Unnikrishnan K.K. – Deponent

Solemnly affirmed and signed before me by the deponent who is personally known to me on this the 28th day of May, 2024 at my office at Ernakulam.



(Dr V.N. Sankarjee)
Advocate