

**BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE  
ORIGINAL APPLICATION NO. 61 OF 2023 (WZ)**

**IN THE MATTER OF:**

Firdos Cambatta

...Applicant

**Versus**

State of Gujarat

...Respondent

**REJOINDER TO AFFIDAVIT IN REPLY BY RESPONDENT NO. 2**

**PAPER BOOK  
(FOR INDEX KINDLY SEE INSIDE)**

**ADVOCATE FOR THE APPLICANT : MS. RANU PUROHIT**

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1. The Applicant abovenamed respectfully submits that the instant rejoinder is being filed in response to the Reply filed by Sabarmati Riverfront Development Corporation Ltd i.e. Respondent No.2
2. At the outset, it is respectfully submitted that nothing in the Reply filed by Respondent No.2 should be deemed to have been accepted by the Applicant unless the same is specifically admitted/ accepted herein.
3. At the further outset, it is submitted that the Applicant is a highly respected and credible environmentalist and is the founder and current operator of a charitable organization known as "The Serenity Trust." In 1974, the Applicant undertook a significant environmental initiative by planting approximately 4,000 trees on Plot Nos. 313, 322, and 323 in Hansol Village,




Ahmedabad. This initiative aimed to mitigate soil erosion, protect guachar lands from flood risks, and enhance the area's greenery. These efforts have significantly contributed to oxygen exchange, thereby benefiting the residents in the vicinity and Ahmedabad city. Additionally, this initiative has fostered an ecosystem of indigenous flora and fauna, supporting species that are classified under Schedule I and listed as threatened by the IUCN. Over the past five decades, this project has also supported local communities by providing them with sustainable resources such as animal fodder and fuel wood, thereby enhancing their livelihoods.

4. That the Present Original Application was registered before this Hon'ble Tribunal on the basis of a letter petition wherein the Applicant had stated that the Applicant had created a green cover by plantation in 1974 of about 4000 trees on plot no. 313, 322 and 323 in Hansol village which was included in the municipal limits of Ahmedabad Municipal Corporation in 1987, which were being cut down.
5. Further, the Applicant has previously brought to the attention of this Hon'ble Tribunal instances of unauthorized tree cutting by the Respondents. Initially it was brought to the notice of this Hon'ble Tribunal vide letter dated 25.04.2022. On the basis of the said letter addressed by the Applicant to the Hon'ble



and 323 in Hansol, adjacent to the river Sabarmati. Upon hearing sounds of tree removal and tree cutting, the Applicant's gardening personnel investigated and observed that over ten large and fully grown trees had been uprooted. It is further submitted that although the answering Respondents have tried to project before the Hon'ble Tribunal that some of the trees being cut would be gaando bawal but the Applicant has time and again demonstrated before this Hon'ble Tribunal how even fully grown gaando bawal tree have significant value for the entire ecosystem and biodiversity of the region. The operation manager subsequently ceased further activity when confronted by Applicant's personnel. It is submitted that M/s. PSP Project Limited is a public limited huge construction company having completed a large number of construction projects in Ahmedabad and at various other places in India. Even as per the website of M/s. PSP Project Limited, it is also doing the Sabarmati River Front Project, No.2 as one of their sizable projects. Notably, those present at the site were unable to produce any official documentation or permissions from competent authorities for felling of the trees and orally informed this only that they were following instructions from their management. Furthermore, there were no visible markings delineating the specific area or extent of the demolition, and the



Tribunal, this Hon'ble Tribunal took up the matter as a letter petition in view of the serious issue of environment involved. Despite the Hon'ble Tribunal taking cognizance of the matter, tree-cutting activities continued unabated, with further instances recorded from time to time including in November 2023. Following such events of tree cutting, the Applicant herein filed multiple affidavits, supplemented with photographic evidence and corroborative newspaper reports, all of which substantiate the ongoing unauthorized tree cutting. These materials collectively demonstrate that the harmful activities persist despite the matter being *sub judice* before this Hon'ble Tribunal.

6. It is further submitted that despite issuance of notice several times, the Respondent No. 2 has submitted its reply after a delay of almost 2 years wherein they have stated on affidavit that no tree felling or no tree-cutting has taken place in the subject survey numbers and that subject survey numbers are not under their ownership.
7. However, to the utter shock and surprise of the Applicant, the Applicant became aware that on 26.10.2024, a company identified as PSP Project Ltd, reportedly acting as an agency/contractor on behalf of Respondent No. 2, deployed a JCB cum bulldozer to clear trees located on plot survey Nos. 322




JCB utilized for this operation lacked RTO registration. This incident demonstrates ongoing unauthorized actions carried out by Respondent No.2. Furthermore, Respondent No.2's claim that they are neither developing nor cutting the trees on plot survey Nos 322 and 323 is contradicted by the documented tree felling on the said plots, which constitutes a clear violation of environmental regulations. Furthermore, the absence of necessary permissions and official documentation, coupled with the lack of RTO registration for the equipment used, underscores a serious non-compliance with regulatory requirements.

A true copy of the photographs demonstrating the uprooted trees is annexed herewith and marked as **Annexure A-1 [Pages ]**.

8. Furthermore, the Applicant duly reported this incident to the police vide the emergency helpline number 100, following which the Airport Police Station dispatched a team to verify the reported facts. Inspector PI Sandip Khambala personally visited the location to investigate the Applicant's complaint. In addition, the Applicant has formally submitted a written request to the local police station for the registration of an official FIR in relation to this incident.

A true copy of the complaint dated 26.10.2024 is annexed herewith and marked as **Annexure A-2 [Pages ]**.



9. It is further submitted that in light of the legal position which is clarified in the Reply Affidavit filed by Respondent No. 4 also, it is crystal clear that permission has to be mandatorily obtained for felling of trees under the Saurashtra Felling of Trees (Infliction of Punishment) Act, 1951 and that unauthorized felling of trees is prohibited under the said Act and permission has to be obtained from Ahmedabad Municipal Corporation for any felling of trees. In the present case, cutting and feeling of trees has been carried out in the absence of such mandatory permission and therefor, the same needs to be stopped immediately by this Hon'ble Tribunal.

10. That the Applicant respectfully states that, as a concerned citizen and environmentalist, his sole concern is the unlawful felling of trees, the destruction of green cover, and the resulting loss of biodiversity. The Applicant's commitment to protecting the environment and preserving natural resources remains paramount.

11. In light of the aforesaid submissions and the facts and circumstances, it is respectfully submitted the respondent No. 2 is a necessary party to the adjudication of the present environmental issue. It is further prayed



that in light of the facts that without any explicit direction of stay for felling of trees not being granted by this Hon'ble Court, the Applicant is facing grave difficulty in ensuring that trees are not felled without valid permission and that the Respondent authorities are continuing felling of trees it is prayed that the Hon'ble Tribunal may pass a direction that status quo be maintained during the pendency of the present application other, the relief claimed by the Applicant shall become infructuous and the damage to environment would already be done.

That the Applicant reserves the right to raise further points with the prior permission of the Hon'ble Tribunal



*[Handwritten Signature]*  
APPLICANT

THROUGH COUNSEL

*[Handwritten Signature]*  
MS RANU PUROHIT

MS RANU PUROHIT  
ADVOCATE FOR APPLICANT

SHAMALBHAI M. DESAI  
NOTARY  
GOVT. OF GUJARAT

SR. NO. *[Handwritten]* /2024

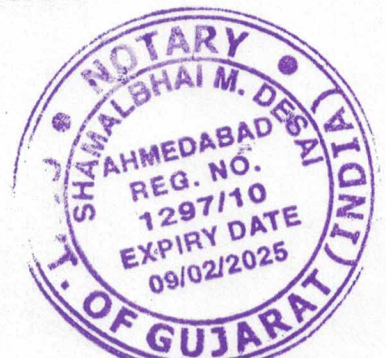
13 NOV 2024

DATE: 13.11.2024

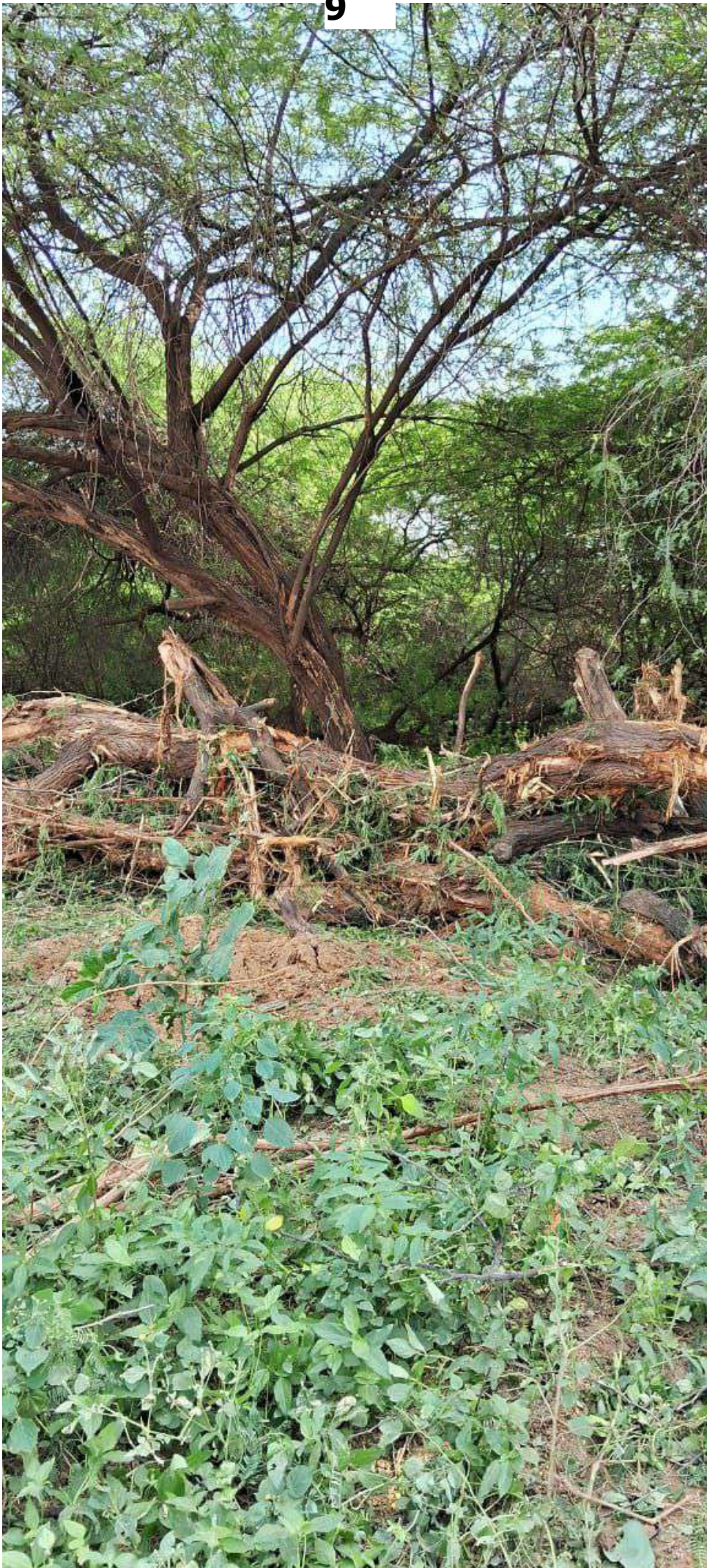
New Delhi

SOLEMNLY AFFIRMED  
BEFORE ME

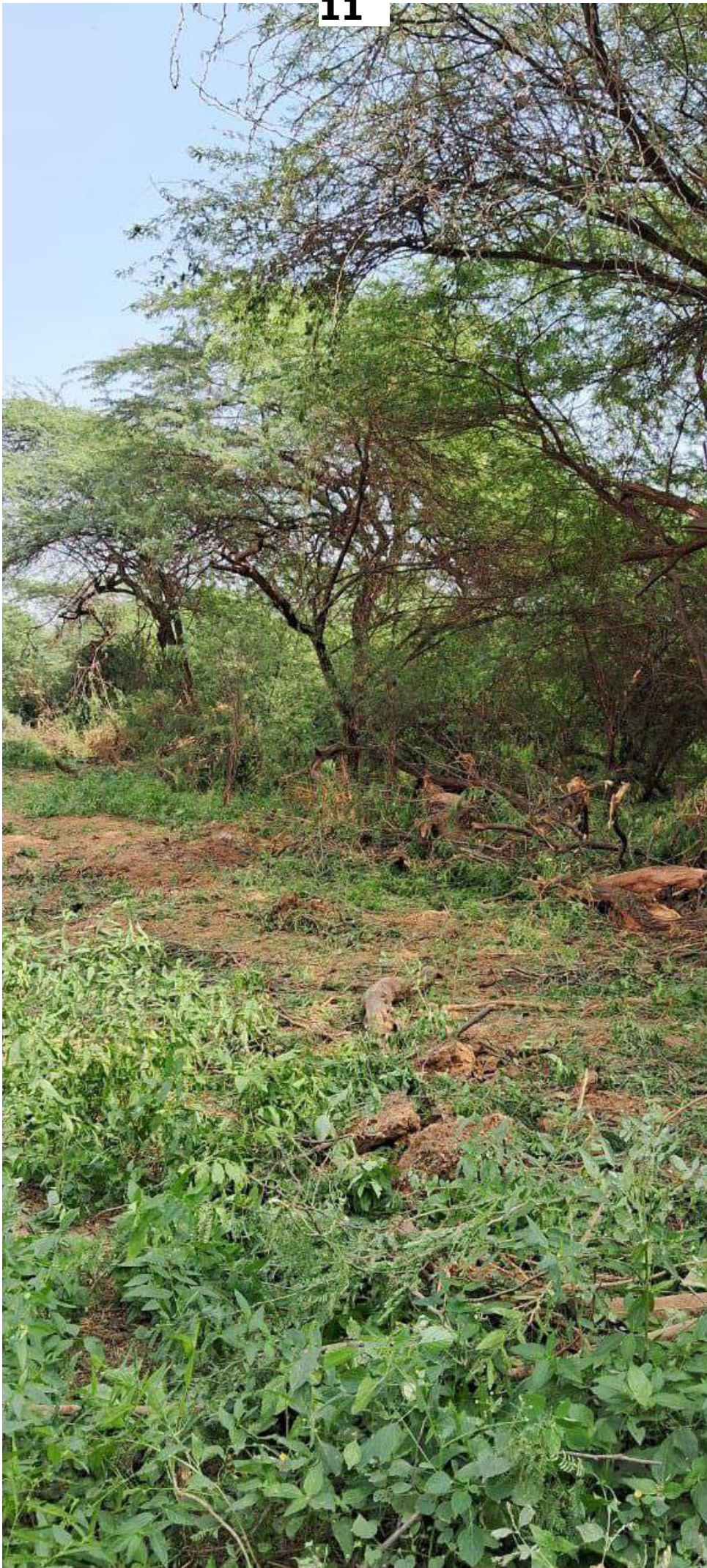
SHAMALBHAI M. DESAI  
NOTARY

















Sanu Purohit

TC

**ANNEXURE A-2**

**The Inspector of Police**

Airport Police Station

Ahmedabad

**26th October 2024**

**Respected Sir,**

**Sub: Illegal felling of old, mature trees on Hansol Plot Survey Numbers 322 and 323 along the Sabarmati River.**

I am a senior citizen residing in my bungalow on Plot Survey No. 314/3, adjacent to the Government Plots Survey Nos. 313, 322, and 323, which are originally designated as "Gaucher" lands.

Following the severe floods in the Sabarmati River in 1973, all trees in the vicinity were washed away, leading to significant erosion of Plots Survey Nos. 313, 322, and 323 in Hansol village. After obtaining the necessary permissions from the then District Collector, Gam Sarpanch, and Talati, I planted 4,000 trees in 1974 to prevent further erosion and preserve the Government Gaucher lands. I have maintained these trees at my own expense for the past 50 years. This effort has benefited the local community who use the area for grazing cattle and gathering firewood, while also preserving the green cover essential for air quality in the region.

In April 2022, GUJSAIL attempted to conduct a survey for a helipad on Plot Survey No. 323 and began cutting trees. Upon my intervention, the District Collector of Ahmedabad issued a restraining order to stop this activity. Local residents have also opposed the establishment of a helipad in this residential area and the cutting of trees, as the green cover is diminishing rapidly and it would adversely impact the existing ecosystem and biodiversity, flora and fauna. In response to this issue, the Honorable Chief Minister has announced an additional 1% for urban forest development in all Town Planning schemes.

To further protect the interests of residents and maintain the green area, I approached the National Green Tribunal (NGT) in Delhi. The NGT reviewed my

appeal and issued an order on 06.09.2022, in response to Original Application No. 549/2022. A copy of this order is attached for your reference. The case remains pending with the NGT in Pune, as the jurisdiction for Gujarat falls under the Pune NGT Division.

On the morning of 26th October 2024, a company named PSP Construction sent a JCB cum bulldozer to demolish trees located on Plot Survey Nos. 322 and 323 in Hansol, adjacent to the river. Upon hearing the sounds of tree removal, my gardening personnel went to investigate and reported that over 10 large, old trees had been uprooted. When confronted with the NGT order, the manager of the operation ceased further activity. They had no documentation or written permission from any authority to validate their actions, stating only that they were following management instructions. Additionally, there were no markings indicating the specific area or extent of the demolition, and the JCB used for this operation lacked RTO registration, which should be investigated by the police department. I reported this incident to the police through emergency number 100, and the Airport Police Station dispatched a team to verify the facts. Inspector PI Sandip Khambala personally visited the site to investigate my complaint.

As an 86-year-old with a back issue, I visited the Airport Police Station to formally lodge my complaint (FIR for breach of order and unlawful cutting of trees) accompanied by my neighbors.

I request the registration of an official FIR regarding this incident, as the NGT order prohibits any tree felling on Plot Survey Nos. 313, 322, and 323 until a final decision is rendered by the NGT Pune. Please register my FIR urgently.

**Yours faithfully,  
Firdos Cambatta**

**Cc: The Commissioner of Police, Ahmedabad  
The District Collector, Ahmedabad**

  
TC



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Ranu Purohit &lt;office.ranupurohit@gmail.com&gt;

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**FOR SERVICE: Firdos Cambatta v. State of Gujarat & Ors. // O.A. No. 549/2022 //**

1 message

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**Ranu Purohit** <office.ranupurohit@gmail.com>

Thu, Nov 14, 2024 at 5:14 PM

To: pccf-forest@gujarat.gov.in, "pccf.fst.hoff@gmail.com" &lt;pccf.fst.hoff@gmail.com&gt;, colahmed@guj.nic.in, ahd@gujarat.gov.in, mc@ahmedabadcity.gov.in, "ceo@gujsail.org" &lt;ceo@gujsail.org&gt;

Dear Sir

Please find the attached Rejoinder to the Affidavit in Reply by Respondent No. 2 in the above subject matter.

Kindly acknowledge the receipt of the same.

--

Kind regards,

**Ranu Purohit**

Advocate-on-Record

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(M) +91-9560457997**Please spare a thought for the environment. Print this mail only if necessary.****CONFIDENTIALITY NOTE**

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**Rejoinder to Affidavit\_Final.pdf**

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