

BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN ZONE**BENCH, PUNE, AT PUNE**

APPEAL NO. 35 OF 2025 (WZ)

M/s GURUKRUPA STONE QUARRY WORKS

... APPELLANT

VersusSTATE ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY, GUJARAT

... RESPONDENT

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PUNE

DATE :22/11/2025



ADVOCATE FOR THE APPELLANT

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,**WESTERN ZONE BENCH, PUNE, AT PUNE****APPEAL NO. 35 OF 2025 (WZ)**

Gurukrupa Quarry Works

... APPELLANT

VERSUS

SEIAA and another

... RESPONDENTS

**AFFIDAVIT-IN-REJOINDER TO THE REPORT
FILED BY RESPONDENT NO.1 OF DATED 04/11/2025****MAY IT PLEASE THE HON'BLE TRIBUNAL:**

- 1] At the outset, the Report filed by the Respondent No.1 is not admitted by the present Appellant and the same is denied in toto.
- 2] The Respondent No.1 had made a categorical statement on 28/07/2025 before this Hon'ble Tribunal that it will afford an opportunity of hearing to the Appellant in pursuance to the impugned Order passed by the Respondent No.1. The hearing was conducted on 8th and 9th September, 2025 by the Respondent No.1. The Respondent No.1 on 12/09/2025 assured the Hon'ble Tribunal that the reply would be filed within a period of two weeks from the date of the Order i.e. 12/09/2025. However, the Respondent No.1 did not file the reply within the stipulated time and it was filed only

on 04/11/2025. The delay in the present proceeding is causing immense financial burden to the Appellant and that the quarry of the Appellant has remained closed for more than a year. The machinery of the quarry is lying vacant and the Appellant is required to pay the salaries of the employees for carrying out no work at the site.

- 3) With respect to the contents of the Report, the Appellant would like to make the following submissions:-

With respect to Para 6.A.2, it is submitted that the guidelines of the Central Pollution Control Board have not attained any finality and is pending adjudication before the Hon'ble Principal Bench in O.A. No.304/2019. The Respondent No.1 in the said Para has stated that GPCB has received communication from the CPCB and accordingly, the distance criterion has been defined. It is pertinent to mention herein that the Circular which has been issued by the GPCB is of dated 05/06/2025 cannot be made applicable to the case of the Appellant retrospectively. Be that as it may, the Circular has not been produced by the Respondent No.1 before this Hon'ble Tribunal.

- 4) The contents of Para 6.A.2 has been contradicted by the Respondent No.1 in Paras 6.A.4 and 6.A.5.

- 5) With respect to the contents of Para 6.A.7, it is submitted that the District Survey Report (DSR) does not specify any criterion and the distance criterion mentioned in the DSR only pertains to the echo-sensitive zone.
- 6) With respect to the contents of Para 6.A.8, the contents are contradictory as the State of Gujarat has neither framed any Rules nor are they produced before this Hon'ble Tribunal. The said Rules were even not communicated to the Appellant at the time of hearing conducted by them.
- 7) With respect to the contents of Para 6.C.2, it is submitted that the Respondent No.1 admits that the DSR is prepared by the District Geologist for every district and the certain district maps are only restricted to prohibited and restricted areas. It is submitted that the Appellant states that its area neither falls in the prohibited area or restricted area or also not in the echo-sensitive zone.
- 8) With respect to the contents of Para 6.D, it is submitted that the Gujarat Minor Mineral Concession Rules have clearly stated that there is no distance criterion mentioned in Rule 18.6. However, the Respondent No.1 relies on Rule 15 of the said Rules which grants power to the said Rules to the State Government to frame the Rules.

However, as stated in the present Rejoinder, no Rules of whatsoever nature have been framed by the State of Gujarat nor have been produced before this Hon'ble Tribunal nor to the Appellant at the time of hearing.

- 9) The Appellant submits that the prolonging nature of the present Appeal coupled with the delay tactics of the Respondent No.1 has put a heavy burden on the pockets of the Appellant, as they are required to pay the EMIs and also maintain its quarries without carrying out any activities on the site.
- 10) The online application in latitude and longitude is similar in the mining report but almost all latitude and longitude of said mines are different in the DSR report. There is a huge difference in the number of coordinates in the mining report and the DSR report in many mines in longitude and latitude. No where in the entire DSR report no mining zone is mentioned rather than Eco Sensitive Area except as mentioned in Chapter No. 20.
- 11) The Appellant submits that if the government has placed the river as no mining zone as per the DS Report then even now the government is also auctioning black trap blocks in such areas through public auction. The area of Mahi River is passing through Vadodara, Kheda

and Anand districts is half in Vadodara district and half in Kheda district and Anand district. However, in Chapter No. 20 of Eco sensitive area and its relevant map it is mentioned only in Vadodara district and the river is not mentioned in the DSR of Kheda and Anand districts. Currently, in Vadodara, Kheda and Panchmahal districts mines are not in Eco Sensitive zone it is misinterpreted in Chapter 20 of the Eco-Sensitive Zone and have wrongly closed it. Chapter 21 of the DSR report clearly states that mining in Vadodara district does not have any adverse impact on the environment. Chapter 25 of the DSR report also clearly mentions that no health-related issues have been reported in the last six years due to mining in Vadodara district. As per Chapter No. 27 Page No. 119 of DSR Report, this DSR report has shown mining and no mining zones as per GMMCR 2017 and M O EFCC 2018, but nowhere in GMMCR 2017 and M O EFCC 2018 river falls no mining zone

- 12) The Appellant further submits that the Respondent No.1 has granted environmental clearances in the adjoining areas and has discriminated the case of the Appellant which clearly smacks the purpose of equity and fair play. From 2015 to 2024, many mining sites, which are currently located in rivers and near roads, have been

given EC by Respondent No.1. According to the DSR report, even now, during the reappraisal process many-mines are in river as per the so-called eco-sensitive zone as per chapter-20 of DSR they have been granted EC and in it but at same place others are rejected

Hence this Rejoinder.

Date: 22 /11/2025

Place: Pune

A handwritten signature in blue ink, appearing to read 'S. S. Sani', with a horizontal line underneath.

Advocate for the Appellant

INDIA NON JUDICIAL
Government of Gujarat



IN-GJ49331296083746X



सत्यमेव जयते

Certificate of Stamp Duty



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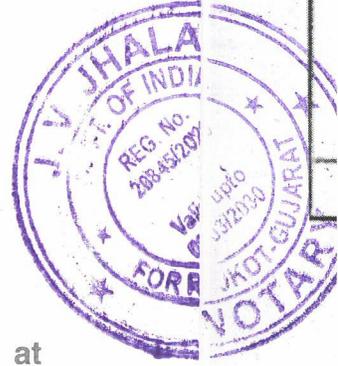


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સુચના

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- આ ઈ-સ્ટેમ્પ પ્રમાણપત્રમાં કોઈપણ વિસંગતતા જણાય તો સ્ટોક હોલ્ડિંગની શાખા / કેન્દ્ર પર સંપર્ક કરવો.
- ઈ-સ્ટેમ્પિંગ સંબંધિત જાણકારી માટે અમને estamp.ahmedabad@stockholding.com પર ઈ-મેઈલ કરવો અથવા અમારી શાખા / કેન્દ્ર ની મુલાકાત લેવી.

**BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN
ZONE BENCH, PUNE, AT PUNE**

GURUKRUPA QUARRY

Appeal No. 35 of 2025(WZ)

... APPELLANT

Versus

SEIAA, GUJARAT

... RESPONDENT

A F F I D A V I T

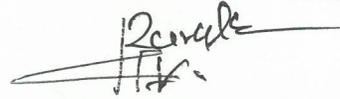
MAY IT PLEASE THE HON'BLE TRIBUNAL:

I, Mr. PRAVINBHAI VRUJLAL RAVALIYA, adult, Occu.: business, having address at Jambugoral, Taluka Savli, District Vadodara 388245 do hereby state on solemn affirmation as under: -

I am the authorised signatory of the Appellant above named and responsible for day to day administration of my business. As such, I have gone through the memo of Rejoinder and annexure thereto being filed today. I find that the contents therein are true and correct to the best of my knowledge and belief and which may be treated as part and parcel of the present affidavit.

WHATEVER STATED ABOVE is true and correct to the best of my knowledge and belief. In witness whereof I have signed hereunder at Rajkot on 22 day of November 2025

DEPONENT


GURUKRUPA QUARRY

Page No. 264
Serial No. 5827
Receipt No. 5829
Date 22/11/2025

Solemnly affirmed before me by
Pravinbhai V. Raval
who is identified by Shri.....
Advocate who is personally known to
me on this...22 day of...11...20...25


J. V. JHALA
NOTARY (GOVT. OF INDIA)
RAJKOT