

**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 GUJRAT

...RESPONDENT

**INDEX**

S.No	Particulars	Pages
1.	Rejoinder to Affidavit In Reply By Respondent No.7	1-10
7.	Proof of Service	11

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**FILE ON: 02.06.2025**



BEFORE THE NATIONAL GREEN TRIBUNAL  
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**REJOINDER TO AFFIDAVIT IN REPLY BY RESPONDENT NO.7**

1. The Applicant abovenamed respectfully submits that the instant rejoinder is being filed in response to the reply of the Forest Department, State of Gujrat i.e. Respondent No.7.
2. At the outset, it is respectfully submitted that nothing in the Reply filed by Respondent No.5 should be deemed to have been accepted by the Applicant unless the same is specifically admitted/ accepted herein.

**BRIEF BACKGROUND**

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.

#### **INSTANCES OF UNAUTHORIZED TREE CUTTING**

5. Further, the Applicant has previously brought to this Hon'ble Tribunal's attention instances of unauthorized tree cutting, initially notifying the Hon'ble Tribunal vide letter dated 25.04.2022. Despite the Hon'ble Tribunal taking cognizance of the

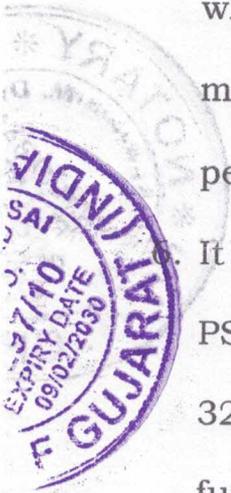


*[Handwritten signature]*

matter, tree-cutting activities continued unabated, with further instances recorded as recently as November 2023. Following this, the Applicant has 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 Hon'ble Tribunal's involvement.

It is respectfully submitted that on 26.10.2024, a company named PSP Project Ltd deployed a JCB bulldozer to clear trees on Plot No. 322. The JCB used in this operation was not RTO-registered, further indicating that the tree cutting on the land was unauthorized. Moreover, the claim made by Respondent No. 5 that no tree cutting has occurred on the land, either by them or by any other authorized individual, is inconsistent with the documented evidence of tree felling on the said land.

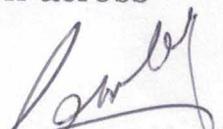
7. It is pertinent to mention here that the Applicant duly reported this incident to the police vide the emergency helpline number 100, following which the Airport Police Station dispatched a team to verify the reported facts. Inspector PI Sandip Khambala personally visited the location to investigate 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.



**ECOLOGICAL AND ECONOMIC BENEFITS OF GANDO BAWAL**  
**(PROSOPIS JULIFLORA)**

8. It is submitted that while Respondent No. 5, in their report dated 12.11.2024, claims that the only species present on the site is Gando Bawal (Prosopis Juliflora), the Applicant has repeatedly emphasized before this Hon'ble Tribunal the significant ecological and biodiversity importance of even mature Gando Bawal trees in the region. Additionally, the land in question contains other supporting species, some of which are classified under Schedule I and are listed as threatened by the IUCN. Furthermore, under the provisions of the Saurashtra Felling of Trees (Infliction of Punishment) Act, 1951, prior permission is required for the felling of any trees. Unauthorized tree cutting is expressly prohibited by this Act, and such permission must be obtained from the Ahmedabad Municipal Corporation. However, in the present case, tree cutting and felling have been carried out without the necessary authorization.

9. Moreover, a recent article in *Times of India* features a study by the Gujarat Institute of Desert Ecology (GUIDE), which recommends formulating a separate management policy for Proliferous Prosopis juliflora. The study underscores its potential to generate livelihoods and drive meaningful ecological transformation across



Kutch's Banni region. The study further emphasized that once the seeds are removed, the pods of *Prosopis juliflora* are rich in calcium and glucose, making them suitable for a variety of uses—including cattle feed formulations, edible biscuits, nutritional tonics for the elderly and children, and even as a coffee.

A true copy of the article dated 12.11.2021 is annexed herewith and marked as **Annexure A-1 [Pages to ]**.

**ENVIRONMENTAL IMPACT OF DEFORESTATION IN FLOODPLAIN ZONES**

10. It is submitted that deforestation contributes to increased flood risk by reducing the land's natural capacity to absorb and regulate water through vegetation and soil. The absence of tree cover leads to higher surface runoff, soil erosion, and sedimentation in nearby water channels, which may disrupt normal water flow. It also affects the local water cycle by limiting moisture release into the atmosphere. The site in question lies near the Sabarmati River and is within an ecologically sensitive zone, containing approximately 300–400 fully matured trees. Given these conditions, any proposed removal of tree cover warrants careful consideration and evaluation of its potential hazardous impact on the environment.



11. Furthermore, this Hon'ble Tribunal (*Principal Bench*) in *Niranjan Bagchi v State of Uttarakhand & Ors* OA No. 417 of 2022, vide its order dated 25.07.2023, inter-alia observed here as under:

"10. The lack of protection of river floodplains from damaging impacts like encroachment and diversion for 'developmental projects' is a tragedy that affects both the river as well as those who encroach it adversely. The river suffers as it is unable to occupy and transport flood waters downstream during high rainfall events (monsoon in particular). It is unable to recharge aquifers, wet the lands along its banks or provide life sustaining conditions to plant and animal habitats along the river margins and banks. Damage to floodplains harms the riverine ecosystem, lessens groundwater recharge capacity and poses threats of flash floods. "People too suffer an immense loss of life and property, including loss of public infrastructure like bridges, roads, schools etc., during high floods."

**REGULATORY REQUIREMENT FOR ENVIRONMENTALLY RESPONSIBLE TREE CUTTING**

12. Moreover, as per the resolution dated 20.05.2016 issued by the Forest and Environment Department of the Government of Gujarat, specific guidelines have been laid down regarding Gando Bawal, which are reproduced herein below:

"(6) *Special provisions for Ganda Bawal:*

*For cutting Ganada bawal and/ or for making charcoal in areas of reserved forests, protected forest or area notified under Section - 4 of Indian Forest Act, 1927, areas up to 16 km from sanctuary and national park and 2 km from sea-coast will be given by Deputy Conservator Forests."*

In light of the foregoing, it is evident that the present site falls within an ecologically sensitive zone, being located in close proximity to the Sabarmati River. It is further pertinent to note that the matter at hand does not concern the isolated growth of Gando Bawal as an invasive species. Rather, the site comprises an established growth of approximately 300–400 fully matured trees. Over time, this vegetative growth has evolved into a stable ecosystem that now sustains a rich and diverse assemblage of flora and fauna. This existing biodiversity further underscores the ecological value of the area and raises significant concerns regarding any proposed clearance or exploitation of these trees under the guise of routine invasive species management.



13. The Hon'ble Supreme Court vide its order dated 21.03.2024 in *MK Ranjitsinh and Others v Union of India and Other 2024 SCC OnLine SC 570* held here as under

*"20. Article 48 A of the Constitution provides that the State shall endeavour to protect and improve the environment and to safeguard forests and wildlife of the country. Clause (g) of Article 51 A stipulates that it shall be the duty of every citizen of India to protect and improve the natural environment including forests, lakes, rivers and wildlife, and to have compassion for living creatures. Although these are not justiciable provisions of the Constitution, they are indications that the Constitution recognises the importance of natural world. The importance of the environment, as indicated by these provisions, becomes a right in other parts of the Constitution."*

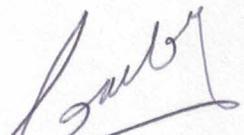
14. Furthermore, the Hon'ble Supreme Court vide its order dated 05.08.2024 in *M. C Mehta V Union of India Writ Petition (Civil) No. 13381 of 1984* has also held here as under :

*"23. Keeping in view the spirit of Article 51A of the Constitution of India and right of citizens to a healthy environment, every public authority which makes an application before this Court seeking permission for felling the trees must make the best endeavour to reduce the number of trees which are required to be cut by re-examining the alignment of the public project."*

15. Additionally, the Hon'ble Supreme Court recently in *M. C Mehta V Union of India Writ Petition (Civil) No. 13381 of 1984* vide its order dated 25.03.2025 has inter-alia observed as under:

*"It will take a minimum of 100 years to again re-generate or recreate the green cover created by 454 trees which were brazenly cut without permission of this Court. Notwithstanding the embargo put by this Court which is in force right from the year 2015, he has indulged in this illegality. Destruction of so many trees adversely affects the environment and lives of several human beings."*

16. 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.



17. 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

ADVOCATE FOR APPLICANT

SR. No. *[Handwritten: 2578]* /2025

*[Handwritten Signature]*  
SHAMALBHAI M. DESAI  
NOTARY  
GOVT. OF GUJARAT

- 2 JUN 2025



SOLEMNLY AFFIRMED  
BEFORE ME

*[Handwritten Signature]*  
SHAMALBHAI M. DESAI  
NOTARY  
GOVT. OF GUJARAT (INDIA)

- 2 JUN 2025





भारत सरकार  
Government of India



आधार - सामान्य माहसनी अधिकार

*(Handwritten signature)*



भारत का विश्व बैंक प्रमाणित प्राधिकरण  
Union Bank of India



11

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

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**REJOINDERS TO AFFIDAVIT IN REPLY BY RESPONDENT NO. 4, 5 AND 7 IN THE MATTER OF FIRDOS S CAMBATTA VS STATE OF GUJARAT THROUGH THE COLLECTOR AHMEDABAD O.A No. 61 of 2023( Western Zone)**

1 message

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

Mon, Jun 2, 2025 at 3:31 PM

To: maulik@nanavatico.com, simranjit@ghvirk.com, office@bhattandco.in, punengtwzb@gmail.com

Dear Sir/Madam,

Please find attached Rejoinders in the above captioned matter. Kindly consider it as a service.

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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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**3 attachments** **REJOINDER IN REPLY FOR R7.pdf**  
3878K **REJOINDER IN REPLY FOR R5.pdf**  
3008K **REJOINDER IN REPLY FOR R4.pdf**  
4255K