

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH AT PUNE
MISCELLANEOUS APPLICATION NO. 3 of 2025**

**IN
APPEAL NO. 74 of 2016 (WZ)**

IN THE MATTER OF:

CONSERVATION ACTION TRUST & ANR.

... APPLICANTS

/ORIGINAL

APPELLANTS

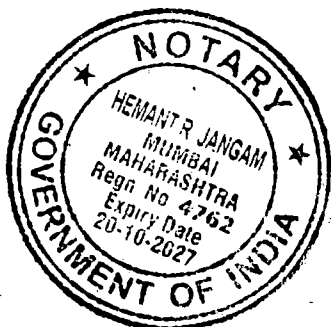
VERSUS

UNION OF INDIA AND ORS.

...RESPONDENTS

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THROUGH



**RISHIKA AGARWAL
COUNSEL FOR THE APPLICANTS**

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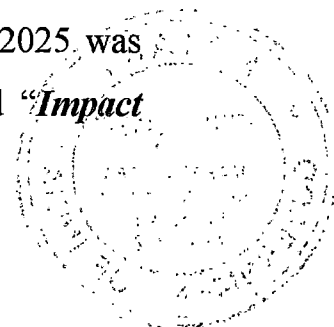
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**Rejoinder In Miscellaneous Application No. 3 Of 2025 In Appeal No. 74
Of 2016 (WZ) On Behalf of The Applicants to the Affidavit in Reply
Filed by Respondent No. 5, Principal Chief Conservator of Forest, and
Head of Forest Force (PCCF & HoFF)**

MOST RESPECTFULLY SHOWETH:

1. I, Debi Goenka, aged 69 years, the Executive Trustee of Applicant No. 1, Conservation Action Trust, Mumbai, do hereby solemnly affirm on that, I am well acquainted with the facts and circumstances of the case on the basis of the records available and am thus duly authorized to file this Affidavit on behalf of the Applicant No. 1 herein, i.e. Conservation Action Trust.
2. The above-mentioned Miscellaneous Application No. 3 of 2025 was filed to bring out certain facts from the NIO report titled "*Impact*"

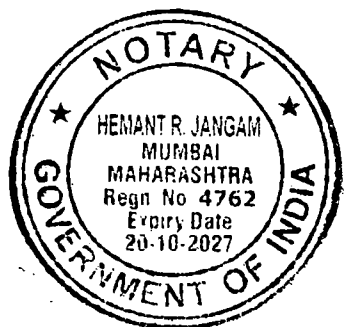


Assessment Study on Mudflats & Mangroves in the area due to the expansion project of phase III” (the “NIO report”) at Adani Petronet (Dahej) Port Limited”. That on the basis of the NIO Report itself it is evident that Respondent No. 6 has submitted false and misleading information while applying for all the necessary statutory clearances, as well as in the studies/reports submitted by the Respondent No. 6 with various authorities for the purpose of obtaining the necessary permissions.

3. That the instant Rejoinder is being filed in response to the Affidavit in Reply (hereinafter ‘**Affidavit in Reply**’) filed by Respondent No. 5, Principal Chief Conservator of Forest, and Head of Forest Force. At the outset, the Applicants deny various statements that have been made and nothing should be assumed to be admitted unless specifically admitted or is part of the record. The applicants reiterate all the facts and submissions made in Miscellaneous Application No. 3 of 2025 to be true and correct and the same may be read as part of the instant rejoinder and are not all being repeated for the sake of brevity.
4. Applicants herein submits that the Respondent in its affidavit in reply states that the answering Respondent is required to be deleted, inasmuch as the prayers sought therein are entirely directed against the Project Proponent and do not arise any cause of action against the answering Respondent.
5. The Para 4 of the Affidavit in Reply filed by Respondent No. 5 states

“No Role or Liability of the Answering Respondent

4.1 Without prejudice, it is respectfully submitted that the answering Respondent acts strictly in accordance with statutory provisions, including the Forest



(Conservation) Act, Wildlife Protection Act, CRZ Notifications, and applicable guidelines.

4.2. The answering Respondent neither grants Environmental Clearance nor CRZ Clearance, nor does it approve or execute reclamation activities or developmental works undertaken by the Project Proponent.

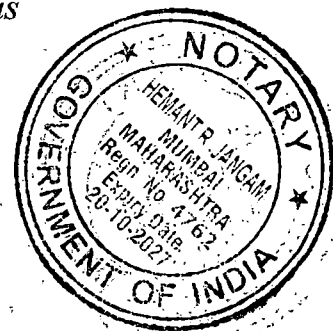
4.3. The answering Respondent has no authority to grant Environment Clearance and Coastal Regulation Zone Clearance which was challenged in the captioned appeal.

4.4. Further the answering Respondent submits that in present application, answering Respondent has no independent authority to stop, permit, modify, or reverse reclamation activities carried out pursuant to valid statutory clearances issued by MoEF&CC or other competent authorities.

4.5. It is submitted that the Miscellaneous Application does not attribute any specific illegality, omission, or dereliction of duty on the part of the answering Respondent. In absence of any such allegation, the answering Respondent has been unnecessarily impleaded.”

6. Para 5 of the said Affidavit in Reply further states

“In view of the aforesaid facts and submissions, it is respectfully submitted the present Miscellaneous

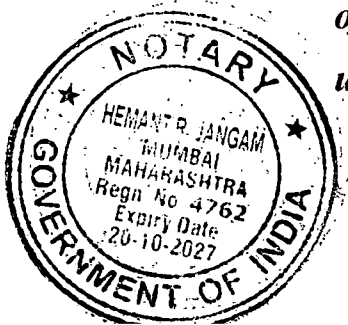


Application is not maintainable against the answering Respondent.”

7. The Applicants herein would like to point out that the Principal Chief Conservator of Forests (Wild Life) or his representative from Gujarat Forest Department is an ex-officio member of the Gujarat Coastal Zone Management Authority (GCZMA) as per the Notification regarding the Constitution of GCZMA.

The copy of the said notification is annexed as “ANNEXURE “

8. The Applicants herein further states that all the site visit reports during the appraisal process are placed before the GCZMA while obtaining the CRZ recommendation, which is then sent to MoEF&CC before the EC & CRZ Clearance is granted.
9. The Applicants would also like to point out that all the Mangrove scrubs and Mangrove forest are considered as Forests particularly as Type 4B/TS1 and Type 4B/TS2 respectively in State of Forest Reports published by the Forest Survey of India, including the mangroves in the State of Gujarat.
10. Therefore, it is submitted by the Applicants herein that the Respondent cannot state that they do not have any role or liability as answering respondent.
11. Moreover, whilst the Hon'ble Tribunal has been repeatedly directing all the respondents to file their affidavits in this case, this is the first affidavit filed by the Gujarat Forest Department.
12. As pointed out the Applicants in MA No. 3 of 2025, the NIO report on page 23 states that the *“The study reveals that 1.89 hectares (80.08%) of the total area of coastal vegetation has been converted into built-up land. From 2015 to 2024, a slight increase was observed in the*



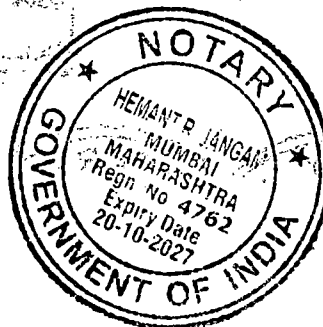
area of coastal vegetation in the mudflat.” At page 44 of the report, it has been stated that *“The study reveals that 1.89 hectares (80.08%) of the total area of coastal vegetation in 2015 and scanty mangrove plants would have been present at that time.”*

This too asserts the fact that mangroves have been present at this site, and also, therefore, the mudflats are ‘biologically active’, as opposed to what the project proponent has mentioned in its reports. The Applicants herein would further like to point out that the Respondent has failed to acknowledge the presence of mangroves while granting the permissions to the Respondent No. 6.

13. Therefore, it is respectfully submitted by the Applicants that the Respondent has failed to monitor the compliance status of the EC & CRZ Clearance.

14. The Applicants herein would like to point out to the Hon’ble Tribunal that this reveals a significant gap in the manner in which the CRZ and EC clearances are granted and the monitoring of compliance of the conditions is carried out by the authorities responsible.

15. Thus, in light of the above facts and circumstances, the prayers in the Miscellaneous Application No. 3 of 2025 shall be allowed.



Deli Anke

APPLICANT NO. 1



Deli Anke

APPLICANT NO. 2

VERIFICATION

I, Debi Goenka, the Applicant No. 2 herein do hereby state and solemnly declare that what is stated in the Application in paragraphs No. 1 to 15 is based on my own knowledge and whatever is stated in the remaining paragraphs is stated on information and belief and I believe the same to be true.

Solemnly declared at Mumbai)

Debi Goenka

On this day of April 2026)

4 APR 2026

Applicant

(Debi Goenka)

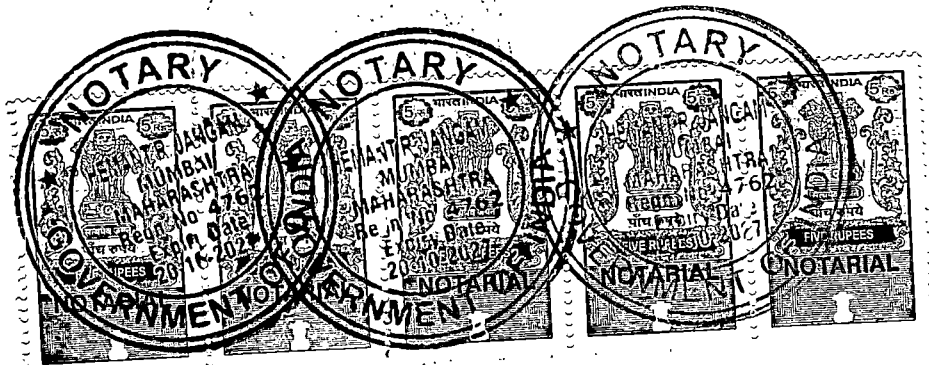
Identified by me



BEFORE ME
[Signature]
HEMANT R. JANGAM
NOTARY, GOVT. OF INDIA
MUMBAI, MAHARASHTRA.
4 APR 2026

Advocate for the Applicant

NOTED & REGISTERED
Sr. No. 265 Pg. No. 38
Book No. Debi Goenka
Date: **4 APR 2026**





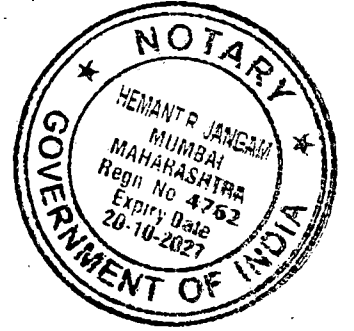
भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-12022026-270070
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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY



सं. 679]

नई दिल्ली, बुधवार, फरवरी 11, 2026/साध 22, 1947

No. 679]

NEW DELHI, WEDNESDAY, FEBRUARY 11, 2026/MAGHA 22, 1947

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

आदेश

नई दिल्ली, 11 फरवरी, 2026

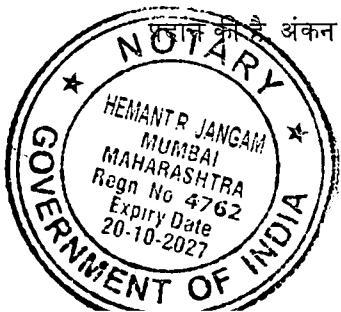
का.आ. 713(अ).— केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) और उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नीचे सारणी में उल्लिखित, निम्नलिखित व्यक्तियों से मिलकर बने गुजरात तटीय जोन प्रबंध प्राधिकरण (जिसे इसमें इसके पश्चात् प्राधिकरण कहा गया है) का, राजपत्र में इस आदेश के प्रकाशन की तारीख से तीन वर्ष की अवधि के लिए, गठन करती है, अर्थात्:—

सारणी

क्र. सं.	नाम और संपर्क ब्यौरे	पदनाम
1.	अपर मुख्य सचिव या प्रधान सचिव या सचिव, वन और पर्यावरण विभाग, गुजरात सरकार, सचिवालय, ब्लॉक सं0 14/8, गांधीनगर, गुजरात।	अध्यक्ष, पदेन ;
2.	प्रधान मुख्य वन संरक्षक (वन्य जीव) या उसका प्रतिनिधि, आरण्य भवन, सेक्टर-10ए, गांधीनगर, गुजरात।	सदस्य, पदेन ;

3.	उपाध्यक्ष और मुख्य कार्यपालक अधिकारी या उसका प्रतिनिधि, गुजरात समुद्रीय बोर्ड, सेक्टर-10ए, वायुसेना स्टेशन के सामने, गांधीनगर, गुजरात ।	सदस्य, पदेन ;
4.	सदस्य सचिव, गुजरात प्रदूषण नियंत्रण बोर्ड, पर्यावरण भवन, सेक्टर-10ए, वायुसेना स्टेशन के सामने, गांधीनगर, गुजरात ।	सदस्य, पदेन ;
5.	उद्योग आयुक्त या उसका प्रतिनिधि, उद्योग भवन, गांधीनगर, गुजरात ।	सदस्य, पदेन ;
6.	मुख्य कार्यपालक अधिकारी या उसका प्रतिनिधि, गुजरात राज्य आपदा प्रबंधन प्राधिकरण, गांधीनगर, गुजरात ।	सदस्य, पदेन ;
7.	मुख्य नगर योजनाकार या उसका प्रतिनिधि, गुजरात सरकार, पुराना सचिवालय, ब्लॉक सं0 14/2, गांधीनगर, गुजरात ।	सदस्य, पदेन ;
8.	मच्छली उद्योग आयुक्त, गुजरात सरकार, पुराना सचिवालय, ब्लॉक सं0 10/3, गांधीनगर, गुजरात ।	सदस्य, पदेन ;
9.	प्रबंध निदेशक और पर्यटन आयुक्त या उसका प्रतिनिधि, पर्यटन विभाग, गांधीनगर, गुजरात ।	सदस्य, पदेन ;
10.	श्री डी.टी. वसावदा, ए-503, सत्यम, स्काई लाईन, टोरंट पावर के सामने, शोला क्रॉस रोड, नरनपुरा, अहमदाबाद, गुजरात ।	सदस्य, विशेषज्ञ ;
11.	डॉ. अंजली बहुगुणा, जे-401, इंद्रप्रस्थ, 5, प्रह्लाद नगर, अहमदाबाद, गुजरात ।	सदस्य, विशेषज्ञ ;
12.	डॉ. चिन्मय गोरोय, एकेडमिक ब्लॉक, 5/406, आई.आई.टी. पलाज गांधीनगर-382055, गुजरात ।	सदस्य, विशेषज्ञ ;
13.	श्री देवांग एम. ठाकर, एच-3, सुगम अपार्टमेंट, निकट वसना बस स्टैंड, वसना, अहमदाबाद -380007, गुजरात ।	सदस्य, विशेषज्ञ ;
14.	निदेशक, गुजरात पारिस्थितिकी शिक्षा और अनुसंधान फाउंडेशन, इंद्रोदा नेचर पार्क, निकट सीएच '0' सर्कल, गांधीनगर-382007, गुजरात ।	सदस्य, गैर शासकीय संगठन ;
15.	निदेशक (पर्यावरण), वन और पर्यावरण विभाग, गुजरात सरकार, गांधीनगर, गुजरात ।	सदस्य सचिव ।

2. प्राधिकरण का मुख्यालय गांधीनगर, गुजरात में होगा ।
3. प्राधिकरण की बैठक के लिए गणपूर्ति, इसके सदस्यों की कुल संख्या के एक-तिहाई से होगी ।
4. सदस्य, पदेन से भिन्न, सदस्य को, केंद्रीय सरकार द्वारा नियत मानदंडों के अनुसार भत्ते का भुगतान किया जाएगा ।
5. सदस्य, हितों के किसी भी विरोध से बचने के लिए, किसी ऐसी परियोजना के, जिसके लिए उन्होंने परामर्श सेवा प्रदान की है अंकन की प्रक्रिया में, प्राधिकरण की किसी बैठक में से स्वयं को अलग कर लेंगे ।



6. प्राधिकरण, गुजरात राज्य में तटीय पर्यावरण की क्वालिटी को संरक्षित करने और सुधारने तथा तटीय विनियम जोन क्षेत्रों में पर्यावरणीय प्रदूषण के निवारण, उपशमन और नियंत्रण के प्रयोजन के लिए निम्नलिखित उपाय करेगा, अर्थात् :—

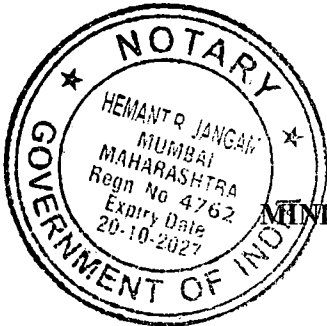
- (i) परियोजना प्रस्ताव के अनुमोदन के लिए परियोजना समर्थक से प्राप्त आवेदन का, यथास्थिति, संख्यांक का.आ. 19(अ), तारीख 6 जनवरी, 2011 द्वारा भारत सरकार की अधिसूचना के अधीन तैयार अनुमोदित तटीय जोन प्रबंध योजना या अधिसूचना सं0 का.आ. 37(अ), तारीख 18 जनवरी, 2019 (जिसे इसमें इसके पश्चात् उक्त अधिसूचना कहा गया है) के अनुसरण में, परीक्षण करेगा और उक्त अधिसूचना में यथा विनिर्दिष्ट संबद्ध प्राधिकरण को ऐसी परियोजना के अनुमोदन के लिए, ऐसे आवेदन की प्राप्ति की तारीख से साठ दिन के भीतर सिफारिश करेगा ;
- (ii) उक्त अधिसूचना में यथा विनिर्दिष्ट के अनुसार तटीय विनियमन जोन में सभी विकासोन्मुख क्रियाकलापों को विनियमित करेगा ;
- (iii) उक्त अधिसूचना के उपबंधों का प्रवर्तन और मॉनीटर करेगा ;
- (iv) उक्त अधिनियम की धारा 5 के अधीन ऐसे निदेश जारी करेगा, जो भारत सरकार के पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय की (3 अक्टूबर, 2022 को प्रकाशित) अधिसूचना सं0 का.आ. 4650(अ), तारीख 30 सितंबर, 2022 में विनिर्दिष्ट हैं ;
- (v) उक्त अधिनियम की धारा 10 के अधीन शक्तियों का प्रयोग करेगा ;
- (vi) उक्त अधिनियम की धारा 19 के अधीन परिवाद फाइल करेगा ;
- (vii) तटीय विनियम जोन क्षेत्रों और तटीय जोन प्रबंध योजना के वर्गीकरण में परिवर्तन या उपांतरणों के लिए राज्य सरकार से प्राप्त प्रस्तावों की परीक्षा करेगा और राष्ट्रीय तटीय जोन प्रबंध प्राधिकरण को उस पर विनिर्दिष्ट सिफारिश देगा ; और
- (viii) उक्त अधिनियम या उसके अधीन बनाए गए नियमों या उक्त अधिसूचना के अतिक्रमण या उल्लंघन के मामलों में, स्वप्रेरणा से या उसके समक्ष किसी व्यक्ति द्वारा किए गए परिवाद के आधार पर जांच या पुनर्विलोकन करेगा ।

7. प्राधिकरण, अपने कृत्यों में पारदर्शिता बनाए रखने के प्रयोजन के लिए एक समर्पित वेबसाइट तैयार करेगा और इसके कृत्य, जिसके अंतर्गत बैठकों में कार्यसूची, बैठकों का कार्यवृत्त, प्रत्येक बैठकों में किए गए विनिश्चय, उक्त अधिसूचना के अतिक्रमण तथा उल्लंघन के मामलों में सिफारिशें और ऐसे अतिक्रमण तथा उल्लंघन पर की गई कार्रवाई और न्यायालय मामले, जिसके अंतर्गत न्यायालयों के आदेश हैं और गुजरात सरकार की अनुमोदित तटीय जोन प्रबंध योजना से संबंधित सूचना डालेगा ।

8. प्राधिकरण, छह मास में कम से कम एक बार अपने क्रियाकलापों की रिपोर्ट राष्ट्रीय तटीय जोन प्रबंध प्राधिकरण को भेजेगा ।

[फा.सं. जे-17011/30/99-आईए.।।।(पी)]

डॉ. अमनदीप गर्ग, अपर सचिव



MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

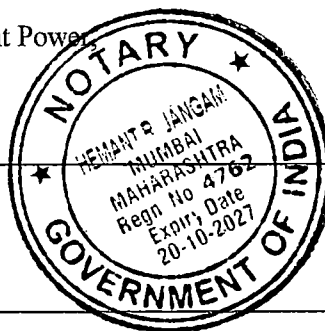
ORDER

New Delhi, the 11th February, 2026.

S.O. 713(E).— In exercise of the powers conferred by sub-sections (1) and (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), the Central Government hereby constitutes the Gujarat Coastal Zone Management Authority (hereinafter referred to as the Authority) consisting of the following persons, mentioned in the table below for a period of three years with effect from the date of publication of this Order in the Official Gazette, namely:—

Table

Sl. No.	Name and Contact details	Designation
1.	Additional Chief Secretary or Principal Secretary or Secretary, Forests and Environment Department, Government of Gujarat, Sachivalaya, Block No. 14/8, Gandhinagar, Gujarat.	Chairman, <i>ex officio</i> ;
2.	Principal Chief Conservator of Forests (Wild Life) or his representative, Aranya Bhavan, Sector-10A, Gandhinagar, Gujarat.	Member, <i>ex officio</i> ;
3.	Vice Chairman and Chief Executive Officer or his representative, Gujarat Maritime Board, Sector-10A, Opposite Air Force Station, Gandhinagar, Gujarat.	Member, <i>ex officio</i> ;
4.	Member Secretary, Gujarat Pollution Control Board, Paryavaran Bhavan, Sector-10A, Opposite Air Force Station, Gandhinagar, Gujarat.	Member, <i>ex officio</i> ;
5.	Industries Commissioner or his representative, Udyog Bhavan, Gandhinagar, Gujarat.	Member, <i>ex officio</i> ;
6.	Chief Executive Officer or his representative, Gujarat State Disaster Management Authority, Gandhinagar, Gujarat.	Member, <i>ex officio</i> ;
7.	Chief Town Planner or his representative, Government of Gujarat, Old Sachivalaya, Block No. 14/2, Gandhinagar, Gujarat	Member, <i>ex officio</i> ;
8.	Commissioner of Fisheries, Government of Gujarat, Old Sachivalaya, Block No. 10/3, Gandhinagar, Gujarat.	Member, <i>ex officio</i> ;
9.	Managing Director and Commissioner of Tourism or his representative, Tourism Department, Gandhinagar, Gujarat.	Member, <i>ex officio</i> ;
10.	Shri. D.T. Vasavada, A-503, Satyam, Sky line, Opp. Torrent Power, Sola Cross Road, Naranpura, Ahmedabad, Gujarat.	Member, <i>expert</i> ;
11.	Dr. Anjali Bahuguna, J-401, Indraprasth 5, Prahlad Nagar, Ahmedabad, Gujarat.	Member, <i>expert</i> ;
12.	Dr. Chinmay Ghoroi, Academic Block 5/406, IIT Gandhinagar, Palaj Gandhinagar-382055, Gujarat.	Member, <i>expert</i> ;
13.	Shri. Devang M. Thaker, H-3, Sugam, Apartment, Nr. Vasna Bus Stand, Vasna, Ahmedabad - 380007, Gujarat.	Member, <i>expert</i> ;
14.	Director, Gujarat Ecological Education and Research Foundation, Indroda Nature Park, Near CH '0' circle, Gandhinagar-382007, Gujarat.	Member, Non-Government Organization;
15.	The Director (Environment), Forest and Environment Department, Government of Gujarat, Gandhinagar, Gujarat	Member Secretary.



2. The Headquarter of the Authority shall be at Gandhinagar, Gujarat.

3. The quorum for the meeting of the Authority shall be one- third of the total number of its Members.

4. The member, other than Member *ex officio*, shall be paid allowances as per the norms of the Central Government.

5. In order to avoid any conflict of interest, the Members shall recuse themselves from the meeting of the Authority, in the process of appraisal of any project, for which they have rendered any consultancy service.

6. The Authority shall, for the purpose of protecting and improving the quality of the coastal environment and preventing, abating and controlling environmental pollution in the Coastal Regulation Zone areas in the State of Gujarat, take the following measures, namely: —

(i) examine the proposal received from the project proponent for approval of project proposal, in accordance with the approved Coastal Zone Management Plan prepared under the notification of the Government of India vide number S.O.19(E), dated the 6th January, 2011 or the notification number G.S.R. 37(E), dated the 18th January, 2019 (hereinafter referred to as the said notification), as the case may be, and make recommendation for approval of project proposal to the authority concerned, as specified in the said notification, within a period of sixty days from the date of receipt of such proposals;

(ii) regulate all developmental activities in the Coastal Regulation Zone areas as specified in the said notification;

(iii) enforce and monitor the implementation of provisions of the said notification;

(iv) issue directions under section 5 of the said Act as specified in the notification of the Government of India, in the Ministry of Environment, Forest and Climate Change, published vide number S.O. 4650(E), dated the 30th September, 2022 (published on 03rd October, 2022);

(v) exercise powers under section 10 of the said Act;

(vi) file complaint under section 19 of the said Act;

(vii) examine the proposals received from the State Government for modifications in the classification of Coastal Regulation Zone areas and in the Coastal Zone Management Plan and make specific recommendations to the National Coastal Zone Management Authority under the said notification; and

(viii) inquire and review cases of failure of compliance or contravention of the said Act or rules made thereunder or the said notification, *suo-moto* or on the basis of a complaint made by any person before it.

7. The Authority shall, for the purposes of maintaining transparency in its functioning, create a dedicated website and post the information relating to its functions, including the agenda in its meeting, minutes of the meetings, decision taken in the meeting, recommendation for matters on failure of compliance or contravention of the said notification and action taken on such failure or contravention and court matters including the order of the court, and the approved Coastal Zone Management Plan of the Government of Gujarat.

8. The Authority shall furnish report of its activities at least once in six months to the National Coastal Zone Management Authority.

[F. No. J-17011/30/99-IA.III(P)]

Dr. AMANDEEP GARG, Addl. Secy.

