

BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE

Original Application No.208/2024(WZ)

Earlier Original Application No.1206/2024 (PB)

NEWS ITEM TITLED "KOTESHWAR FOREST UNDER SIEGE"

APPEARING IN THE AHMEDABAD MIRROR DATED 20.09.2024



REPLY AFFIDAVIT ON BEHALF OF MINISTRY OF ENVIRONMENT,  
FOREST & CLIMATE CHANGE i.e. RESPONDENT NO. 2

MOST RESPECTFULLY SHOWETH:

I, Mahesh Dutt Purohit, son of Shri Hari Dutt Purohit, aged about 35 years, currently working as Scientist 'D' in the Ministry of Environment, Forest & Climate Change, Regional Office, Gandhinagar, do hereby solemnly affirm and state on oath as follows:

1. That, I have read and understood the contents of the present Affidavit, the contents thereof are true, and no part of it is false, and nothing material has been concealed therefrom.
2. That, the issue raised in this application pertains to the alleged deforestation issue at Koteshwar in Gujarat, where numerous trees have allegedly been felled.

**ATTESTED**

**NOTARY PUBLIC  
JAIPUR RA : INDIA**

**05 DEC 2024**

  
ई महेश दत्त पुरोहित/Er. Mahesh Dutt Purohit  
वैज्ञानिक डी / सयुक्त निदेशक/Scientist-D/Joint Director  
पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय  
Ministry of Environment, Forest and Climate Change  
भारत सरकार  
Government of India  
क्षेत्रीय कार्यालय गांधी नगर (उप क्षेत्रीय कार्यालय, जयपुर)  
RO, Gandhinagar (Sub Regional Office, Jaipur)

3. In this regard, it is humbly submitted that the role of the MoEFCC is to frame policy, provide directions and guidance in an advisory capacity, as well as to provide necessary approvals under the provisions of the relevant Central Acts so far as the protection and conservation of forest, wildlife and other environmental resources are concerned.

4. The 'land' is a subject matter of the State Government. The forest areas and the legal boundaries thereof are determined and maintained by the concerned State Government. That being the repository of land records, the State Government has the primary responsibility to determine the status of any parcel of land, giving due regard to gazette notifications, provisions under the State and Central Acts, and concerned judgments and directions of the Hon'ble Supreme Court/ High Courts.

5. It is submitted that the felling of trees in non-forest land is regulated by the respective State Government as per the provisions of various State Acts and Rules made thereunder. Many States have specific Tree Preservation Acts / Tree Felling Acts including guidelines for regulating the felling of trees in revenue lands and penal provisions for violations. The implementation of these rules is supervised by the designated authorities

**ATTESTED**

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JAIPUR (RAJ)**

**05 DEC 2024**

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वैज्ञानिक डी/संयुक्त निदेशक/Scientist-D/Joint Director

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

Ministry of Environment, Forest and Climate Change

भारत सरकार

Government of India

क्षेत्रीय कार्यालय गांधी नगर (उप क्षेत्रीय कार्यालय, जयपुर)

RO, Gandhinagar (Sub Regional Office, Jaipur)

in the State Government, whose permission is necessary for the felling of reserved trees in Non- Forest Land, under such rules.

6. That, regarding the issue of encroachment on forest land, it is submitted that the Protection and management of forests is primarily the responsibility of the concerned State/UT. The necessary actions to remove encroachments are taken as per the provisions under various acts such as the Indian Forest Act, 1927, Wildlife Protection Act, 1972, Van Anrakshan Evam Samvardhan) Adhiniyam, 1980, State Forest Acts, and the various rules made under these Acts and State Specific Acts and Rules.

7. To ascertain the correct position/veracity of the issues raised through the news article, the answering respondent vide e-mail dated 02.12.2024 sought a factual report from the State Forest Department of Gujarat in the matter. The State Forest Department of Gujarat through its e-mail dated 02.12.2024 informed that the status of land which is involved in the instant matter is not a "forest land". However, a detailed report has not been sent by Gujarat Forest department, specifying the details about the land in question. A copy of the e-mail dated 02.12.2024 is enclosed as **Annexure**

-1.

**ATTESTED**

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पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय  
Ministry of Environment, Forest and Climate Change  
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क्षेत्रीय कार्यालय गंडी नगर (क्षेत्रीय कार्यालय, जयपुर)  
RO, Gandhinagar (Sub regional Office, Jaipur)



8. That, the answering respondent reserves the right to file additional information before the Hon'ble Tribunal, if required till Pendente-lite.
9. That, in view of the aforementioned facts and circumstances, this Hon'ble Tribunal may kindly be pleased to pass appropriate order(s)/directions as the Hon'ble Tribunal may deem fit and proper in the interest of justice.



DEPONENT

ई. महेश दत्त पुरोहित/Er. Mahesh Dutt Purohit  
 वैज्ञानिक डी / सयुक्त निदेशक/Scientist-D/Joint Director  
 पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय  
 Ministry of Environment, Forest and Climate Change  
 भारत सरकार

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 RO, Gandhinagar (Sub Regional Office, Jaipur)

### Verification

Verified at Jaipur on this 05<sup>th</sup> Day of December, 2024, that the contents of this affidavit are true and correct to my knowledge based on the official record maintained in the daily course of its business, no part of this affidavit is false and nothing material has been concealed therefrom.

ATTESTED  
  
 NOTARY PUBLIC  
 JAIPUR (RAJ), INDIA

05 DEC 2024

DEPONENT

ई. महेश दत्त पुरोहित/Er. Mahesh Dutt Purohit  
 वैज्ञानिक डी / सयुक्त निदेशक/Scientist-D/Joint Director  
 पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय  
 Ministry of Environment, Forest and Climate Change  
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क्षेत्रीय कार्यालय गांधी नगर (उप क्षेत्रीय कार्यालय जाipur)  
 RO, Gandhinagar (Sub Regional Office, Jaipur)

**Fwd: Defending the matter in Hon'ble NGT (WZ) Pune - O.A. No. 208/2024 WZ( (Pune) Earlier OA 1206/2024 PB (New Delhi) titled as News Item titled "Koteshwar forest under siege" appearing in the Ahmedabad Mirror dated 20.09.2024**

dcf.fca.gujarat@gmail.com  
 Mon, 02 Dec 2024 4:20:26 PM +0530  
 To "IRO Gandhinagar" <iro.gandhingr-mefcc@gov.in>  
 Tags Not in Contacts



Respected Sir,

KOTESHWAR, District: Gandhinagar is revenue area is not declared any RF/PF. The matter is outside forest area i.e Municipal Corporation area Gandhinagar. The matter is not pertains to FCA Proposal.

----- Forwarded message -----

From: **Regional Office Gandhinagar** <iro.gandhingr-mefcc@gov.in>  
 Date: Mon, Dec 2, 2024 at 1:51 PM  
 Subject: Defending the matter in Hon'ble NGT (WZ) Pune - O.A. No. 208/2024 WZ( (Pune) Earlier OA 1206/2024 PB (New Delhi) titled as News item titled "Koteshwar forest under siege" appearing in the Ahmedabad Mirror dated 20.09.2024  
 To: dcf gujarat <dcf.fca.gujarat@gmail.com>  
 Cc: K MEENA <kr.meena@nic.in>, Regional Office Jaipur <iro.jaipur-mefcc@gov.in>

Respected Sir/Madam,

Reference is invited to Ministry's email dated 29.11.2024 on the above mentioned subject. In this context, it is mentioned that the said matter comes under the domain of Government of Gujarat, therefore, you are requested to get the matter examined and take action as per the provisions of extant Acts, rules & regulations. The factual report/pera wise comments in this regard may please be communicated to this office on or before 03.12.2024, so that this office can be communicate to Ministry in this regard.

ई.महेश दत्त पुरोहित/Er. Mahesh Dutt Purohit  
 वैज्ञानिक डी/संयुक्त निदेशक (डी.डी)/Joint Director  
 पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय  
 Ministry of Environment, Forest and Climate Change  
 भारत सरकार  
 Government of India  
 क्षेत्रीय कार्यालय गान्धी नगर, जयपुर क्षेत्रीय कार्यालय, जयपुर  
 RO, Gandhinagar (Sub Regional Office, Jaipur)

With regards.

कार्यालय क्षेत्रीय अधिकारी/विभागाध्यक्ष  
 Office of the Regional Officer/Head of Department  
 पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय  
 Ministry of Environment, Forests & Climate Change  
 भारत सरकार/Government of India  
 Regional Office, Gandhinagar.

**ATTESTED**

NOTARY PUBLIC  
 JAIPUR (RAJ), INDIA

05 DEC 2024

[Email-iro.gandhingr-mefcc@gov.in](mailto:Email-iro.gandhingr-mefcc@gov.in)

कृपया इस ई-मेल को प्रिंट करने से पहले पर्यावरण पर विचार करें, जब तक वास्तव में आवश्यक ना हो इस ई-मेल का प्रिंट ना ले, कागज बचाएं, पेड़ बचाएं। Please think twice before printing this email, don't print this e-mail unless it's really necessary, save paper, save trees.



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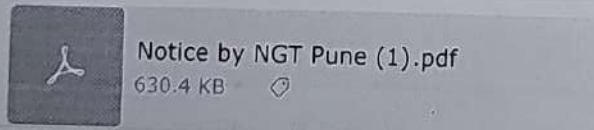
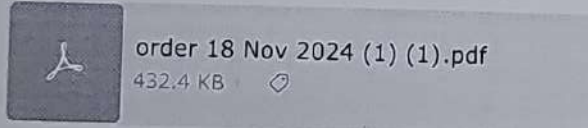
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Respected Sir,

Plz. see the attachment & do the needful.

Regards,  
Addl. Pri. Chief Conservator of Forests Land  
& Nodal Officer, FCA  
Gujarat State, Gandhinagar

**2 Attachment(s)** · Download as Zip · Add To >



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