

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/WRIT PETITION (PIL) (WRIT PETITION (PIL)) NO. 6 of 2023**

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AMIT MANIBHAI PANCHAL

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR.AMIT M. PANCHAL, ADVOCATE AS PARTY IN PERSON(5000) WITH
MR.ANGESH A PANCHAL, ADVOCATE for the Applicant(s) No. 1

for the Opponent(s) No. 2

MR.KAMAL TRIVEDI, LEARNED ADVOCATE GENERAL WITH MR. VINAY
BAIRAGA, AGP for the Opponent(s) No. 1,3,4

MR HS MUNSHAW(495) for the Opponent(s) No. 5

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**CORAM:HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
SUNITA AGARWAL**

and

HONOURABLE MR. JUSTICE PRANAV TRIVEDI

Date : 20/08/2024

ORAL ORDER

(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA AGARWAL)

[1] In compliance of order dated 10.07.2024, passed by this Court, an affidavit dated 17.08.2024 of the Collector, Junagadh has been filed to answer three queries of the Court with regard to modalities for creation of a corpus out of penalty amount collected from the defaulters, of the plastic ban imposed in Girnar Eco-Sensitive Zone. There is a detailed description of the steps being taken for spreading awareness to curb plastic in the said zone. It is stated therein that even the Forest Department has lodged First Offence Report in about 25 cases for violating the provisions of the Wildlife (Protection) Act, 1972. With regard to the progress made in the matter of finalization / approval of the Zonal Master Plans within the State of Gujarat, the reference is to the Circular dated 22.07.2024

constituting a Committee under the chairmanship of the Principal Secretary, Forest and Environment Department. The submission is that Zonal Master Plan submitted in relation to the Girnar Eco-Sensitive Zone would be placed before the Committee on 17.08.2024.

[2] Taking note of the above, we provide that an Officer from the office of the Principal Secretary, Forest and Environment Department shall file affidavit to bring on record the progress made in the matter of declaration of Zonal Master Plan in relation to the Girnar Eco-Sensitive Zone.

[3] As regards the issue pertaining to recycling of the plastic waste collected from the Eco-Sensitive Zone and the city of Junagadh, in compliance of order dated 10.07.2024, an affidavit of the Municipal Commissioner, Junagadh Municipal Corporation was passed on in the Court, which was found having insufficient, incomplete information and has been returned on a request made by Mr. H. S. Munshaw, learned advocate appearing for the Municipality. As prayed by Mr. Munshaw, learned advocate, two weeks' time is granted to file an affidavit in strict compliance of order date 10.07.2024.

[4] Draft amendment filed today in the Court is taken on record. A copy of the draft amendment be served upon the panel counsel appearing for proposed respondent No.5, namely, Okha Nagarpalika and proposed respondent Nos.7 & 8, namely, Gujarat Pollution Control Board within 48 hours. The notice on behalf of proposed respondent Nos.6, 9 & 10 shall be served in the office of the Learned Government Pleader.

[5] Let this matter be posted on **03.09.2024**.

[6] The Collector, Junagadh is directed to keep a close watch on the steps taken by the Monitoring Committee for making Girnar Eco-Sensitive Zone a plastic free zone and bring any instances of violation before us.

(SUNITA AGARWAL, C.J.)

(PRANAV TRIVEDI, J.)

DHARMENDRA KUMAR