

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD  
District.: Ahmedabad

**WRIT PETITION (PIL) No. 87 of 2022**

Suo Motu ... Petitioner  
Versus  
The State of Gujarat & others ... Respondents

**AFFIDAVIT ON BEHALF OF RESPONDENT**  
**NO.4 MORBI NAGAR PALIKA**

I, Naran Kalabhai Muchhar, In-charge Chief Officer of Morbi Nagar Palika, having my office at Nagar Palika, Morbi, do hereby solemnly affirm and state as under:

1. I say and submit that the notice of this Hon'ble Court has been served to the Municipality on 9-11-2022. I say and submit that I am Resident Additional Collector, Morbi and in addition to the above, I have been given the charge of Chief Officer of Morbi Nagar Palika. I am also discharging my duties as Nodal Officer for election duties like EVM Management, Manpower Management etc., I say and submit that since the notice was issued, I was assisting the Collector,

16.11.22

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Morbi and State Authorities in providing all the necessary documents related to the incident of collapse of suspension bridge. I say and submit that I had come to Ahmedabad and extended my full cooperation to the State Authorities and provided all available details related to rescue and post accident Government assistance to the victims.

2. I say and submit that after independence, the Morbi Suspension Bridge came to be entrusted to the Government in the year 1947, Morbi Nagar Palika came to be constituted in the year 1949, and thereafter the Morbi Suspension Bridge was being looked after by Morbi Nagarpalika.
3. I say and submit that up to the year 2007, said suspension bridge was being looked after by the Morbi Nagar Palika.
4. I say and submit that on 16.8.2007, a Memorandum of Understanding (MOU) came to be executed between the Collector, Rajkot, and one M/s. Ajanta Manufacturing Ltd. ("the

Company" for short), which was effected from 16.8.2008, operating under the banner of OREVA Group, the maintenance, security, management, collection of rent, etc. of Suspension Bridge was being done by the Company; for a period of 9 years.

5. I say and submit that though the period of the aforesaid MoU had expired on 15.08.2017, the Suspension Bridge continued to be maintained and managed by the Company, in absence of there being any new agreement
6. I say and submit that the Company sent a communication dated 9-1-2020 and intimated the authority that they would completely close down the Suspension Bridge from 26.01.2020 and thereafter, the Company would not be responsible for any unfortunate accident with reference to the said Suspension Bridge.
7. I say and submit that the Company showed its readiness to manage the suspension

bridge in terms of the meeting convened between the officials of Morbi Collectorate, Morbi Nagar Palika with the officials of the Company on 29-1-2020, and forwarded a draft copy of the agreement to be executed for undertaking operations, maintenance, security and management of the Suspension Bridge.

8. I say and submit that the Collector, Morbi was intimated by the Company to the effect that unless and until an agreement is executed, they would not start the permanent repairing work of the Suspension Bridge, vide communications dated 14-2-2020, 3-6-2020, 17-7-2020 and 20-8-2020, with copies thereof forwarded to Morbi Nagar Palika. Thereafter, on 27-12-2021, the Company reminded the Chief Officer, Morbi Nagar Palika to take appropriate action in the above matter. On 28-12-2021, the Morbi Nagar Palika informed the company that the issue relating to Suspension Bridge has been placed before the upcoming General Board

meeting of Morbi Nagarpalika and hence, decision would be taken only thereafter.

9. I say and submit that on 29-12-2021, the Company informed the Chief Officer of Nagar Palika, that the condition of the Suspension Bridge is critical and hence, request was made to take a decision at the earliest.
10. I say and submit that on 19-1-2022 the then Chief Officer of Morbi Nagar Palika informed the Company that its request for enhancement in entrance fees is rejected by the General Body and hence, if it is ready to carry on with the earlier rates, then further formalities of executing an agreement would be undertaken, or else, requested to return the possession of the Suspension Bridge to the Morbi Nagar Palika at the earliest.
11. I say and submit that the then Chief Officer Shri S. V. Jhala of Morbi Nagar Palika executed an Agreement dated 8-3-2022 with the Company, *inter-alia*, entrusting them the

entire management of the Suspension Bridge for a period of 15 years.

The said agreement provides as many as 9 conditions. Out of that contents of Condition No.4 and 7 are reproduced below:

- Condition No. 4- that it is for Ajanta (OREVA Group) to appropriately renovate and it is only thereafter that they would put the same open for public at large, which would take minimum 8 to 12 months from the date of the Agreement.

- Condition No.7, it is entirely for Ajanta to look after all the administration functions, including the appointment of staff, cleanliness, maintenance, ticket booking, collection and accounts of expenses, wherein there will not be any interference from the Nagar Palika, Corporation or any other Government Agency.

The Agreement also provides that the rate of the tickets came to be fixed for the first year of 2022-23 at Rs.15/- in case of adult, Rs.5/- in case of school students and Rs.10/- in

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case of child below 12 years, with the corresponding year-wise increase thereafter.

The aforesaid Agreement was made subject to the approval by the General Board of Morbi Nagarpalika, vide a Rojkam to the said effect duly signed by President, Vice President, Chairman - Executive Committee and Chief Officer Shri S. V. Jhala, of Morbi Nagarpalika.

12. I say and submit that due to the ongoing repairing work at the relevant time, the Suspension Bridge was not open for the visitors; during this period from 8-3-2022 to 25-10-2022.
13. I say and submit that on 26-10-2022, without any prior approval, the Company reopened the Suspension Bridge for public at large and that too, without letting Morbi Nagar Palika know about the kind of repairing work which was stated to have been carried out by the Company as well as without providing any independent third party's

certificate/s relating to material testing, fitness, holding capacity and structure stability of the said Suspension Bridge.

14. I say and submit that it is reported that due to Diwali festival holidays, on 30-10-2022, there was a huge rush of the persons visiting the Suspension Bridge and for that purpose, the Company had issued tickets to many visitors during the entire day, out of which, about more than 300 persons were reported to have been allowed by Ticket Window Operators and Security Personnel of the Company to visit the said bridge around 6:30 pm from both the ends of the Bridge, which has been reported to have caused the unfortunate incident of collapse of the said bridge, because of which 135 people lost their lives.

15. I say and submit that simultaneously, rescue team of Morbi Nagar Palika led by Morbi Fire Officer, Shri Devendrasinh Jadeja along with his team and boat, reached the spot of incident and started rescuing the persons. This was joined by more than 20 local



persons knowing swimming, who had also jumped into the river, immediately. I say and submit that immediately rescue and search operations were undertaken by the different Government Authorities and Agencies and Morbi Nagar Palika has provided all necessary and immediate assistance to the respective authorities in carrying out rescue and search operations.

16. I say and submit that the Nagar Palika has extended all cooperation in the investigation pursuant to the First Information Report bearing No. 1118900422200 registered on 30-10-2022 with B Division Morbi City Police Station. I say and submit that on 31.10.2022, the State Government, through its Urban Development and Urban Housing Development Department, constituted a Special Investigation Team, the Nagar Palika has provided all the details to the SIT.

17. I say and submit that vide order dated 03.11.2022, the Chief Officer of Morbi Nagar Palika Shri Sandeepsinh V Zala had been

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suspended and the charge of the said post has been handed over to the deponent.

18. I crave leave of this Hon'ble Court to file other and further affidavit/s if and when the need arises.

What is stated hereinabove is true and correct to the best of my knowledge and belief, which I believe to be true and correct.

Solemnly affirmed at Ahmedabad on this 16<sup>th</sup> day of November, 2022.

Identified by:

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DEPONENT

Advocate