

Noted & Registered  
at Serial Number.....  
Date: 17/3/2026  
214/2026  
7 MAR 2026

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
BENCH AT PUNE (WZ)  
ORIGINAL APPLICATION NO. 137 OF 2025

Parb Hygienic Disposal India Pvt Ltd. ....APPLICANTS

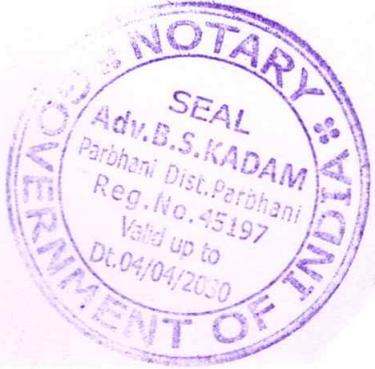
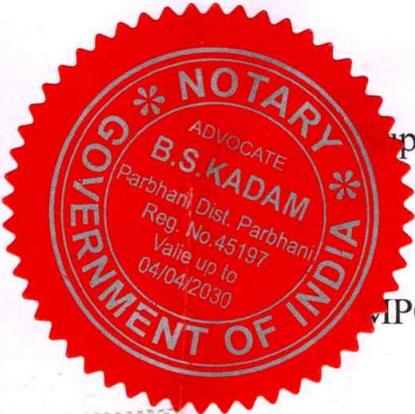
V/s

IPC&B and Ors. .... RESPONDENTS

AFFIDAVIT IN REPLY ON BEHALF OF THE  
RESPONDENT NO.1-MAHARASHTRA POLLUTION  
CONTROL BOARD

I, Somnath Kurmude Age 57, Occupation-Service, the Sub-Regional Officer of the Maharashtra Pollution Control Board, Respondent No. 1 herein, having my office at First Flour , Devkrupa Building, Rangnath Maharaj Nagar, Nandkheda Road, Parbhani – 431401, do hereby state on solemn affirmation as under.

1. I say that, the captioned OA has been filed by the Applicant alleging that the present Respondent has failed to comply the statutory obligation as mandated by Biomedical Waste Management Rules, 2016 (BMW Rules). As far as BMW Rules 2016 are concerned and specifically point No.2(b) of the Revised Guidelines for Common Biomedical Waste Treatment and Disposal Facilities of Bio Medical Wastes Management Rules, 2016 by CPCB. I say that the



Answering Respondent arrayed as Respondent No.1. This Hon'ble Tribunal was pleased to issue a notice to Respondent No.1 on 28/11/2025.

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2. I say that I have perused the captioned OA as well as the records available with Respondent No.1 and I am even otherwise conversant and well versed with the facts of the present case. From personal knowledge, I further say that I am competent and authorised to depose on behalf of Respondent No. 1
  3. At the outset I deny each and every averment made in the captioned OA which is inconsistent and contrary to what is stated in the instant affidavit in reply. Nothing shall be considered to be admitted on behalf of Respondent No. 1 for want of specific traverse.
  4. At the further outset I say that I am challenging the maintainability of the captioned OA on the following ground-
    - i. Preliminary issue relating to filing the present OA instead of Appeal challenging the Consent to Establish granted by the present Respondent in favour of Respondent Nos. 7 for developing of new Common Bio-medical Waste Treatment and Disposal Facility (CBWTDF) on 03/03/2024.
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5. I say that the Applicant cannot challenge the Consent issued in the year 2024 in the present OA which has been filed u/s 14 of the NGT Act 2010. I say that to avoid the rigours of limitation mentioned in Section 16 of the NGT Act, the Applicant has conveniently chose to file the OA to raise the allegation of not complying with the statutory obligation as mandated by Biomedical Waste Management Rules 2016 (BMW Rules). I say that if the Applicant wants to allege that the present Respondent hasn't complied with the above guideline 2 (b) of CBMWTDF, then he has to come in a separate proceeding before this Hon'ble Tribunal. I say that the principal prayers of the captioned OA pertain to challenging the Consent dated 03/03/2024 which cannot be done in the present OA. Rest are ancillary prayers and admittedly based on the Applicant's belief, as mentioned in paragraph 9 of the OA which is reproduced here for the convenience of the Bench –

*“The manner in which the Consent To Establish has been issued, confirms the belief of the Applicant that 1<sup>st</sup> Respondent, though aware of the position of statutory requirement chose to act contrary for reasons best known to it.”*

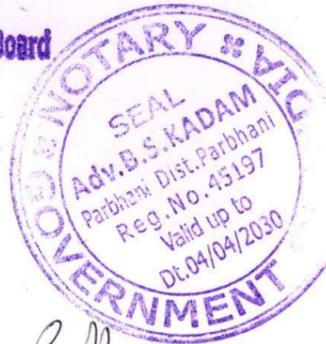
6. The present Respondent submits that the Original Applicant has presented a case replete with bald allegations surmises and conjectures and has failed to make out a cogent and compelling case for grant of reliefs by this Hon'ble Tribunal. In the premises, therefore, the Present Respondent submits that the OA be dismissed by this Hon'ble Tribunal with the imposition of costs.

Solemnly affirmed on 17 day of March 2026 at Parbhani.

For ad on behalf of Maharashtra  
Pollution Control Board

~~\_\_\_\_\_~~  
(Somnath Kurmude)  
Sub-Regional officer  
Maharashtra Pollution Control Board  
Parbhani

Sub-Regional Officer  
Maharashtra Pollution Control Board  
Parbhani



**AFFIDAVIT**

I solemnly swear before me on the \_\_\_\_\_ day of \_\_\_\_\_  
y. Somnath Kurmude Mo Parbhani  
who has been identified by Pamraj Bawane  
as the Person/Persons named in the above affidavit.

~~\_\_\_\_\_~~  
**IDENTIFIED**

**7 MAR 2026**

Pamraj Bawane

**BEFORE ME**  
~~\_\_\_\_\_~~  
**B. S. KADAM**  
NOTARY GOVT. OF INDIA  
DIST. PARBHANI