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**BEFORE THE NATIONAL GREEN TRIBUNAL; WESTERN****ZONE BENCH: PUNE**

ORIGINAL APPLICATION NO. 73/2025

In Re: News Item Titled "Futala Lake Charm  
Fades Amid Neglect and Poor  
Maintenance", appearing in The Times of  
India dated 25.05.2025

**VERSUS**

**RESPONDENTS:** 1) Central Pollution Control Board  
2) Nagpur Municipal Corporation  
3) Maharashtra Pollution Control Board

**AFFIDAVIT IN REPLY ON BEHALF OF THE  
RESPONDENT NO. 2 NAGPUR MUNICIPAL  
CORPORATION:**

I, Rajesh S/o Tulshiram Bhagat, aged about 51 years,  
Occupation: Deputy Commissioner (Solid Waste Management  
Department), Nagpur Municipal Corporation, Nagpur, having been

duly authorized by the respondent no. 2, do hereby solemnly state as  
under:



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1. It is submitted that, the Hon'ble National Green Tribunal, Principal Bench, New Delhi has registered a News Item titled as, "Futala Lake Charm Fades Amid Neglect and Poor Maintenance", published in The Times of India dated 25.05.2025, as Original Application No. 297/2025.
2. It is submitted that, in the aforesaid matter the Hon'ble Tribunal vide order dated 05/06/2025 impleaded the answering respondent as respondent no. 2 in the matter and directed the respondents thereto to file their response before the Western Zone Bench, Pune of NGT.
3. It is submitted that, this Hon'ble Tribunal has taken Suo-Moto Cognizance of the issue for the first time after its transfer from the Principal Bench on 06/08/2025. At the request of the counsel appearing for the answering respondent, this Hon'ble Tribunal was pleased to grant time to the answering respondent to place its response to the said news article so also to the affidavit filed by the respondent no. 3 i.e. Maharashtra Pollution Control Board.



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4. It is submitted that, "Futala Tank" which is also known as "Telangkhedi Tank" is a water body constructed in 1799 by Shri. Gyanoji Bhosle. The said tank has catchment area of about 200 hectores. The said tank is under the ownership of Maharashtra State Public Works Department and it is their responsibility to protect and maintain the said tank.

5. It appears that, the project of beautification of Futala Lake premises including but not limited installation of musical fountain and construction of viewing gallery has been undertaken by the Nagpur Improvement Trust (NIT) through Maharashtra Metro Rail Corporation Limited (MMRCL) and the same beautification work had been challenged by an NGO Swaccha Association in Public Interest Litigation No. 4 of 2023 which was disposed of by the Hon'ble Bombay High Court, Nagpur Bench, Nagpur vide judgment dated 30/11/2023. The Hon'ble Court directed the Maharashtra Metro Rail Corporation Limited alongwith the answering respondent to ensure that the activities undertaken by them do not result in causing any damage to the lake. They shall also ensure that the water body where the floating banquet hall, floating restaurants



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as well as the artificial banyan tree are proposed are kept clean and is properly maintained by taking all necessary precautions / steps in that regard. It was also directed to ensure that their activities do not result in causing any ecological damage to the water body and that the quality of aqua life is not adversely affected.

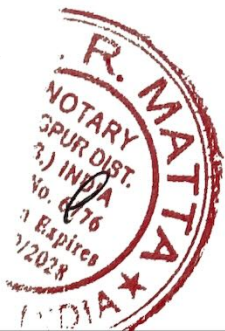
6. It is submitted that, the Maharashtra Metro Rail Corporation Limited has made an ample facility of public toilets / urinals in the viewing gallery of musical fountain which can resolve the issue of public toilet in the vicinity of Futala Lake, as one of the grievance alleged in the said news item dated 25/05/2025, to a great extent. However, as Swacch Association has challenged the judgment dated 30/11/2023 of Hon'ble Bombay High Court, Nagpur Bench, Nagpur in PIL No. 4 of 2023 before the Hon'ble Supreme Court of India vide Special Leave to Appeal Petition (Civil) No. 1420/2024. The Hon'ble Supreme Court vide order dated 12/02/2024 was pleased to issue notice to the respondents thereto so also directed the respondents to maintain the status-quo in all respects and no fresh construction shall be carried out. Thereafter the Hon'ble Court has extended the status-quo order from time to time due to which



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compliance of the order it appears that the Maharashtra Metro Rail Corporation Limited and Nagpur Improvement Trust has taken decision to keep the complex closed. The Hon'ble Supreme Court recently after hearing the parties on 18/08/2025 has closed the matter for judgment however, same is yet to be pronounced.

7. It is submitted that, as alleged in the news item dated 25/05/2025, one of the most common complaint from the visitors is the unavailability of the functional public toilets and due to the lack of such toilet blocks visitors have made to seek alternative unhygienic solutions. That as stated earlier that the Maharashtra Metro Rail Corporation Limited has made an ample facility of public toilets/ urinals in the viewing gallery of musical fountain however, due to the orders of Hon'ble Supreme Court it appears that the Maharashtra Metro Rail Corporation Limited and Nagpur Improvement Trust has kept the said urinals / public toilets remain closed. It is submitted that the answering respondent being the local / civic authority of the city of Nagpur has taken a decision of construction of public urinals / toilets opposite Futala Lake beside road running to Amravati Road under Clean Maharashtra Mission



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Urban – 2 to overcome the problem faced by the visitors. This public toilet includes 7 seats for females, 9 seats for males and 12 urinals so also 1 Lactation Room. The construction of this public toilet is in full swing and will be made available for the public at large at the earliest.

It is submitted that, the answering respondent vide communication dated 08/08/2025 has also requested the Nagpur Improvement Trust to take appropriate steps to open the closed toilets in the interest of public at large. The photograph of the construction site and letter dated 08/08/2025 are annexed herewith and collectively marked as **Document No. R2-1** for the kind perusal of this Hon'ble Tribunal.

8. It is submitted that, the other grievance raised in the news item dated 25/05/2025 was regarding accumulation of waste from flower garlands and plastic bags lining the edges of the lake. The stench from the decaying organic matter and garbage often overpowers the otherwise the pleasant atmosphere diminishing the overall experience for the visitors. It is submitted that, NMC i.e. the answering respondent is very serious and making sustained efforts



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to keep the city clean and hygienic. It is submitted that, the answering respondent is well aware that Futala Lake is a vital part of Nagpur's cultural and recreational landscape and is having very regular heavy footfall. It is submitted that, especially for Futala Lake and its premises the answering respondent through its Dharampeth Zonal Office has deputed a special cleaning squad of 10 persons in addition to the regular deployed staff for cleaning and sweeping. It is further submitted that, the answering respondent has strictly prohibited throwing of garbage or any worship remains (Nirmalya) in the Futala Lake and same is being monitored by the Nuisance Detection Squad of NMC during the day time. The answering respondent has kept "Nirmalya Kalash" near all the water bodies of Nagpur City including the Futala Lake throughout the year. It is submitted that, in addition to the efforts and the measures taken by the Nagpur Municipal Corporation, the civic sense among the citizens and their cooperation is very much essential to keep not only the Futala Lake but entire city clean and hygienic. It is submitted that, before and during the festivals like ShriKrishna Janmashtami, ShriGanesh Sthapna, Navratra Festival etc. NMC the answering



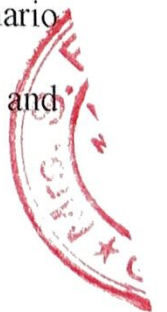
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respondent used to make public awareness for not to throw nirmalya or idols in the water bodies but to use artificial tanks and Nirmalya Kalash for disposal of the same. The photographs depicting the efforts of the answering respondent to keep the Futala Lake clean and hygienic are annexed herewith and collectively marked as **Document No. R2-2** for the kind perusal of this Hon'ble Tribunal.

9. It is submitted that, the answering respondent is also removing the growing water hyacinth and waste on regular intervals from Futala Lake to keep the water clean.

10. It is further submitted that, as the Futala Lake is having very huge catchment area, the flowing rain water may also carry the soil and other waste to the Futala Lake and its vicinity which may contribute accumulation of garbage near the lake, however, the answering respondent is taking all possible efforts and measures to keep the lake clean and hygienic.

11. It is submitted that once the project undertaken by the NIT through MMRCL has completed and made functional the scenario of the Futala Lake will be altogether different and more pleasant and



fascinating for the visitors. Thus, State PWD, NIT and MMRCL are the essential parties to the present application.

Hence these submissions.

Nagpur

Dated: 03/09/2025

*[Signature]*  
**DEPONENT**  
Deputy Commissioner  
Nagpur Municipal Corporation

**VERIFICATION**

Verified and signed at Nagpur on this 3<sup>rd</sup> day of September, 2025, that the contents of the above affidavit from paragraph 1 – 11 are true and correct to the information received from the available office record.

I know the deponent

**NOTARIAL REG**  
ENTRY No. 2861  
DATE 3/9/2025

*[Signature]*  
Advocate Girish Kunte

*[Signature]*  
**DEPONENT**  
Deputy Commissioner  
Nagpur Municipal Corporation

SWORN BEFORE ME ON THIS 3<sup>rd</sup> DAY OF Sept 2025 AT NAGPUR BY SHRI / SMT / KU. Rajesh T. Bhagat R/O NAGPUR WHO HAS BEEN IDENTIFIED BY SHRI / SMT. Girish Kunte ADVOCATE, NAGPUR

**MRS. S. R. MATTA**  
NOTARY  
NAGPUR DIST.  
(M.S.) INDIA  
Reg. No. 6776  
My Term Expires on 21/9/2028  
GOVT. OF INDIA

**NOTARY**  
MRS. S. R. MATTA  
DIST. NAGPUR (M.S.)  
REGD. NO. 6776  
GOVT. OF INDIA

**NOTARY**  
NAGPUR  
NOTARIAL OF INDIA

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**MRS. S. R. MATTA**  
ADVOCATE & NOTARY  
918-B, Clark Town, Nagpur



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Document NO. R2-1

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Document No. R2-2





GPS Map Camera  
 Nagpur, Maharashtra, India  
 138/5, Bharat Nagar, Nagpur, Maharashtra 440010, India  
 Lat 21.150761° Long 79.044143°  
 21/07/2025 08:55 AM GMT +05:30  
 Google



GPS Map Camera  
 Nagpur, Maharashtra, India  
 286, Futala Lake Rd, Juna Futala, Bharatnagar, Nagpur, Maharashtra 440001, India  
 Lat 21.150722° Long 79.044998°  
 24/07/2025 11:57 AM GMT +05:30  
 Google



GPS Map Camera  
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