

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
WESTERN ZONE, PUNE BENCH**

**O.A. No. 66 of 2021 (WZ)**

**IN THE MATTER OF:**

**SARANG YADWADKAR**

**.....APPLICANT**

**VERSUS**

**STATE OF MAHARASHTRA & ORS.**

**.....RESPONDENT(S)**

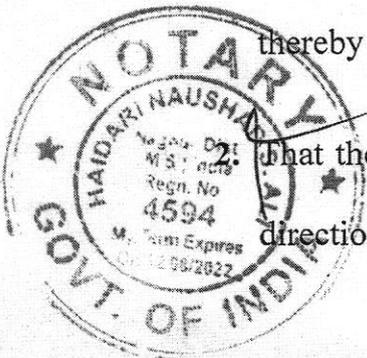
**REPLY AFFIDAVIT ON BEHALF OF THE MINISTRY OF  
ENVIRONMENT, FOREST AND CLIMATE CHANGE, RESPONDENT  
No.1**

I, Dr. Purushottam Sakhare S/o Shri. Ramdas Sakhare working as Scientist 'E' in the Integrated Regional Office of the Ministry of Environment, Forest and Climate Change (MoEF&CC), Nagpur. I do hereby solemnly affirm and declare as under:

1. That I am duly authorized by the Ministry of Environment, Forest and Climate Change, respondent no. 1 to swear this affidavit and I am conversant with the facts and circumstances of the present case and am thereby competent to depose as under:

That the issue raised in the present application is non-compliance of the direction issued from Central Pollution Control Board (CPCB) under

*Purushottam Sakhare*



Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 to all State Pollution Control Boards (SPCBs). Despite of direction issued by CPCB and Hon'ble Supreme Court, the State Pollution Control Board of Maharashtra, Goa and Gujarat and Union Territory of Dadar and Nagar Haveli and Daman Diu have failed in ensuring compliance thereof.

3. That the answering Respondent no. 1 is primarily engaged in, *inter alia*, policy formulation for abatement, control and prevention of pollution, prescribing environmental standards which are implemented through the Central Pollution Control Board (CPCB) and State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs). The SPCBs/PCCs are required to enforce these standards and monitor the compliance by industries.

Besides, the concerned State Pollution Control Boards/ Pollution Control Committees are empowered to take all such measures as are deemed necessary or expedient for the purpose of protection and improving the quality of environment as well as prevention, control and abatement of environmental pollution, including issue involve in the instant matter.

4. It is to submit that installation of online effluent and emission monitoring systems, the Hon'ble Supreme Court in the matter of Paryavaran

*Amr Sakhu*

Suraksha Samiti v. Union of India reported in (2017) 5 SCC 326, directed as follows:

*"17. It would be in the interest of implementation of the objective sought to be achieved, to also require each State concerned (and each Union Territory concerned) to make provision for "online, real time, continuous monitoring system" to display emissions, levels, in the public domain, on the portal of the State Pollution Control Board concerned. We are informed that at least three State Governments have already adopted the aforesaid measures. Such measures shall be put in place by all the State Governments concerned (including the Union Territories concerned), within six months from today."*

5. It is submitted that the implementation and enforcement of the Hon'ble Supreme Court direction lies with State Pollution Control Boards (SPCBs) and Central Pollution Control Board.

6. It is humbly prayed that the Hon'ble Tribunal may kindly pass (such order(s) as may deemed fit and proper in the facts and circumstances of this case.

*Dr. P. R. Sakhare*  
27/10/2021  
**DEPONENT**  
(Dr. P. R. Sakhare)

वेज्ञानिक-ई/Scientist-E  
पर्यावरण, वन एवं जलवायु परिवर्तन, मंत्रालय  
Ministry of Environment Forest and Climate Change  
एकीकृत क्षेत्रिय कार्यालय, नागपुर-440 001  
Integrated Regional Office, Nagpur-440 001

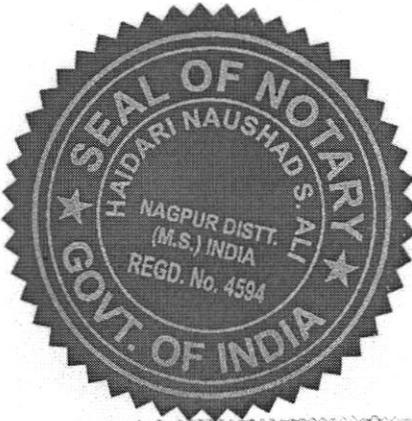
**VERIFICATION**

Verified at Nagpur on the 27<sup>th</sup> day of October, 2021 that the contents of this reply affidavit based on official record(s) maintained and information available in the office are correct to my knowledge and belief. No part of it is false and nothing has been concealed there from.

**NOTARIAL Reg.**  
ENTRY No. 17299  
Date 27/10/2021

*[Signature]*  
**DEPONENT**  
27/10/2021

**(डॉ. पी. आर. साखरे)**  
**(Dr. P. R. Sakhare)**  
वैज्ञानिक-ई/Scientist-E  
पर्यावरण, वन एवं जलवायु परिवर्तन, मंत्रालय  
Ministry of Environment Forest and Climate Change  
एकीकृत क्षेत्रीय कार्यालय, नागपुर-440 001  
Integrated Regional Office, Nagpur-440 001



**SUBORN/SOLEMNLy AFFIRMED**

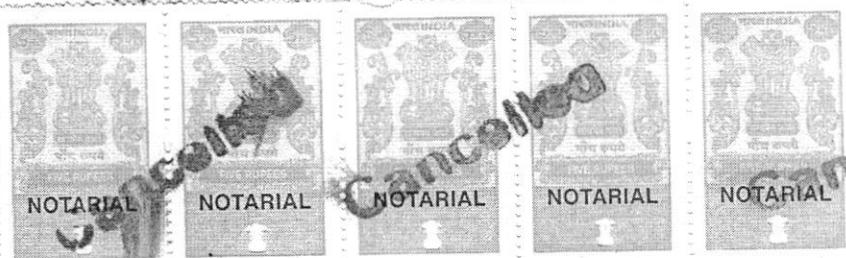
BY Dr. P. R. Sakhare

WHO IS PERSONALLY/KNOWN

TO ME IDENTIFIED BY N.B. Gaurane

BEFORE ME THIS THE 27  
DAY OF Oct, 2021 AT NAGPUR

**Haidari Naushad S. Ali**  
**NOTARY**  
NAGPUR DISTT / M.S. INDIA



Ministry of Environment Forest and Climate Change  
एकीकृत क्षेत्रीय कार्यालय, नागपुर-440 001  
Integrated Regional Office, Nagpur-440 001