



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

ORIGINAL APPLICATION NO. 37 OF 2025

PUSHKAR KULKARNI: APPLICANT

VERSUS

**PUNE MUNICIPAL CORPN
& OTHERS. RESPONDENTS**

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Nagpur
Dated. 31/07/25

A. K. Kulkarni
CF RESP NO. 09



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

ORIGINAL APPLICATION NO. 37 OF 2025

PUSHKAR KULKARNI: ...APPLICANT

VERSUS

PUNE MUNICIPAL CORPN RESPONDENTS

**REPLY ON BEHALF OF RESPONDENT NO.
09, i.e., CENTRAL GROUND WATER BOARD,
NAGPUR, MAHARASHTRA.**

Most Respectfully Showeth:

I, Dr. Umesh S/o. Shesharao Balpande Aged 49 years, working as Regional Director in Central Ground Water Board having office at Central Ground Water Board, New Secretariat Building, Opp. VCA Stadium, Civil Lines Nagpur, the deponent herein do hereby solemnly affirm and state on oath as under: -

1. That I am competent to swear the present counter affidavit on behalf of Central Ground Water Board, Nagpur and I am aware of the facts and circumstances of the case based on record.



2. That, I have perused the contents of the above captioned O.A. and I am duly authorized to depose by way of the present affidavit.

3. That I am in my aforementioned official capacity, well conversant with the facts and circumstances of the present case on the basis of the documents and records available in the department. As such, I am competent and authorized to swear this reply on behalf of Respondent No.9, i.e., Central Ground Water Board, State Unit Office, Pune, Maharashtra (hereinafter referred to as "answering respondent").

4. That I have read and understood the contents of the present Affidavit and state that the contents mentioned in the Affidavit are true and correct to the best of my knowledge.

5. That the Answering Respondent is not replying to the present application in para-wise manner and craves leave to file a detailed affidavit as and when necessary and required by this Hon'ble Tribunal.



6. That answering respondent was constituted as Central Ground Water Authority (herein referred as CGWA) under sub- Section (3) of Section 3 of the Environment (Protection) Act, 1986 in 1997 for regulation and control of ground water management and development in the country. Currently, groundwater is being regulated and controlled by the CGWA in accordance with the guidelines notified by the Ministry of Jal Shakti (MoJS) dated 24/09/2020, amendments dated 29/03/2023 thereto. These guidelines have Pan-India applicability. As per clause 4.1 of MoJS guideline is reproduced hereunder: -

“In Over-exploited assessment units, No Objection Certificate shall not be granted for ground water abstraction to any new industry except those falling in the category of Micro, Small and Medium Enterprises (MSME). However, No Objection Certificate for drinking/ domestic use for work force, green belt use by these new industries shall be permitted. Expansion of existing industries involving increase in quantum of ground water abstraction in over-exploited assessment units shall not be



permitted. No Objection Certificate shall not be granted to new packaged water industries in Overexploited areas, even if they belong to MSME category". The Authority has been regulating ground water development and management by way of issuing 'No Objection Certificates' for ground water extraction to industries or infrastructure projects or Mining Projects etc. by following the Guidelines dated 24/09/2020.

7. That as per the guidelines, all industries/mining/infrastructure projects drawing ground water in safe, semi-critical and critical assessment units will have to pay ground water abstraction charges based on quantum of ground water extraction and category of assessment unit as per Ground Water Resource Assessment.

8. That all projects obtaining No Objection Certificate (NOC) from the Central Ground Water Authority (CGWA) are required to comply with the stipulated guidelines and submit self-compliance reports through the online portal. This office conducts regular site inspections for fresh, renewal, and exempted applications to



verify adherence to these compliance conditions. In addition, site inspections are also carried out in response to grievances and RTI queries related to illegal groundwater abstraction. In accordance with the guidelines, penalties are imposed on project proponents who fail to comply with the conditions of the NOC. Additionally, Environmental Compensation Charges are imposed for illegal extraction of groundwater by industries, infrastructure and mining projects operating without a valid NOC from the CGWA.

9. That this office had sent Show Cause Notices to project proponents for non-submission of renewal application after expiry of existing NOC, for non-submission of application after rejection, for withdrawing ground water without valid CGWA NOC, for taking exemption certificate with false documents etc. and with a copy to concerned District Collector/District Magistrate to take appropriate action.

10. That U/s Section 4 of Environment Protection Act, 1986, CGWA has appointed the District Magistrate/District Collector/Sub Divisional Magistrates of each Revenue



District/Sub division as Authorized Officers, who have been delegated the power to seal illegal wells, disconnect electricity supply to the energized well, launch prosecution against offenders etc. including grievance redressal related to ground water in their respective jurisdictions.

11. In line with this, this office provides lists of rejected applications who have not applied for CGWA NOC, and details of projects that have failed to apply for renewal of their No Objection Certificates (NOCs) to the concerned District Magistrate/District Collector of the district, enabling them to take immediate and effective action. With respect to the Grievance/complaint and RTI received by this office, an advisory letter is being issued to the concerned Project proponent for illegal groundwater withdrawal and advised to apply for CGWA NOC for the same.

12. That in this context, answering respondent has through letter dated 24/07/2025 formally requested the Joint Director (Water), Maharashtra Pollution Control Board (MPCB) to



issue strict instructions to all the industries, infrastructure, mining, and dewatering projects to obtain the No Objection Certificate (NOC) from the CGWA for ground water extraction before actual commencement of the project. Additionally, it is advised that a specific condition mandating CGWA NOC be incorporated into the Consent to Establish/Operate issued by MPCB to ensure compliance by all project proponents. (Copy of letter dated 24.07.2025 annexed hereto as ANNEXURE-I).

13. That this office has also formally requested through letter dated 24/07/2025 to the Municipal Commissioner, Pune Municipal Corporation, Pune to direct all the Infrastructure projects (Residential apartments/Group Housing Societies, corporate office buildings, petroleum retail outlets, hospitals, educational institutions, hotels and various recreational and commercial facilities like malls and sports complexes etc.) within the jurisdiction of Pune Municipal Corporation, abstracting groundwater, to obtain the No Objection Certificate (NOC) from the Central Ground Water Authority (CGWA) prior



to the commencement of project activities. (Copy of letter dated 24/07/2025 annexed hereto and marked as ANNEXURE-II).

14. The Answering Respondent seeks leave to make additional submissions, if required, during the course of the proceedings.



Annexure

CF RESP NO. 9

[Signature] 29.7.2025
DEPONENT
Regional Director
Central Ground Water Board
Department of Water Resources, RD & GR
Ministry of Jal Shakti
Government of India
Central Region, Nagpur

VERIFICATION

It is verified that the contents of the above paragraphs are true and correct to the best of my knowledge and belief and as per the record of the Board, which I believe to be true. No part of it is false, and nothing material has been concealed therefrom.

[Signature] 29.7.2025
DEPONENT

N.R.S. No. _____
Solemnly Affirmed Before Me By Regional Director
Shri / Smt. Umesh S. Bulapur Central Ground Water Board
Who is Identified by [Signature] Department of Water Resources, RD & GR
Shri / Smt. [Signature] Ministry of Jal Shakti
_____ Advocate Government of India
Personally Known Central Region, Nagpur
Dt. 29/7/2025

K.S. Meshram
KIRAN S. MESHARAM
Advocate & Notary
District Nagpur (M.S.)
Govt. of India Reg. No. 47733
Dt. 29/7/2025



CANCELLED

Central Bank of India
Government of India
General Manager
New Delhi
Director General of Foreign Trade
New Delhi
Secretary to Government
New Delhi

Handwritten signature

NOTARIAL REC
EXHIBIT NO
DATE

NOTARIAL REC
EXHIBIT NO
DATE

Notary Public
KIRAN S. S. S. S. S.
Advocate & Notary
District Muzaffarpur, Bihar
ONE WINGED STAR
Dr. ...

KIRAN S. S. S. S. S.
Advocate & Notary
District Muzaffarpur, Bihar
ONE WINGED STAR
Dr. ...

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भारत सरकार
Government of India
जल शक्ति मंत्रालय
Ministry of Jal Shakti



जलसंसाधन, नदी विकास एवं गंगा संरक्षण विभाग
Department of Water Resources, River Development and Ganga Rejuvenation
केन्द्रीय भूमिजल बोर्ड/Central Ground Water Board
मध्य क्षेत्र/Central Region

दूरभाष / Phone: (0712)-2565314

ई-मेल / E-mail: rdcr-cgwb@nic.in

संख्या / No. 7/38/CGWB/CR/ Authority

सिविल लाइन्स, नागपुर - 440 001

Civil Lines, Nagpur - 440 001

दिनांक / Date: 24.07.2025

✓ To,

The Joint Director (Water)
Maharashtra Pollution Control Board
Kalpataru Point, 2nd floor,
Opp. PVR Theatre, Sion (E),
Mumbai-400022.

Subject: Obtaining Permission/NOC of Central Ground Water Authority for Groundwater abstraction by the Industries/Infrastructure/Mining/dewatering Projects.

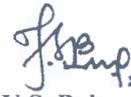
Sir,

As you are aware, the Central Ground Water Authority (CGWA) has been constituted by the Hon'ble Supreme Court of India under Section 3(3) and section 5 of the Environment (Protection) Act, 1986 to regulate and control groundwater development and management across the country. To regulate the indiscriminate groundwater extraction, CGWA grants permission/NOC to all the Industries/Infrastructure/Mining/dewatering Projects abstracting groundwater and issued the guidelines, public notices time to time. CGWA has also developed a dedicated "BHUNEER" online portal (<https://cgwa-bhuneer.mowr.gov.in>) for obtaining NOC of CGWA by the project proponents for groundwater withdrawal. However, it has been observed that the pace of submission of application by the project proponents in the "BHUNEER" portal is very slow.

In view of above, it is requested that all the Industries/Infrastructure/Mining/dewatering Projects, abstracting groundwater, may strictly be instructed to obtain NOC of CGWA before actual commencement of the project. Accordingly, a separate condition may be stipulated in the Consent to Establish/Consent to Operate granted to all the project proponents by MPCB for its strict compliance.

Further, it is also requested to give instructions at your end to all the regional offices of MPCB for necessary action in the subject matter.

Yours faithfully,


(Dr. U.S. Balpande)
Regional Director

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भारत सरकार
Government of India
जल शक्ति मंत्रालय
Ministry of Jal Shakti



जलसंसाधन, नदी विकास एवं गंगा संरक्षण विभाग
Department of Water Resources, River Development and Ganga Rejuvenation
केन्द्रीय भूमिजल बोर्ड / Central Ground Water Board
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संख्या / No. 7/38/CGWB/CR/ Authority

सिविल लाइन्स, नागपुर - 440 001

Civil Lines, Nagpur - 440 001

दिनांक / Date: 24.07.2025

✓ To,
The Municipal Commissioner,
Pune Municipal Corporation,
Near Mangala Theatre,
Shivajinagar, Pune
Maharashtra, 411005.

Subject: Obtaining permission/NOC of Central Ground Water Authority for Groundwater abstraction by the Infrastructure Projects in Pune Municipal Corporation area.

Sir,

The Central Ground Water Authority (CGWA) has been constituted by the Hon'ble Supreme Court of India under Section 3(3) and section 5 of the Environment (Protection) Act, 1986 to regulate and control groundwater development and management across the country. To regulate the indiscriminate groundwater extraction, CGWA grants permission/NOC to all the Industries/Infrastructure/Mining/dewatering Projects abstracting groundwater and issued the guidelines, public notices time to time. CGWA has also developed a dedicated "BHUNEER" online portal (<https://cgwa-bhuneer.mowr.gov.in>) for obtaining NOC of CGWA by the project proponents for groundwater withdrawal. However, it has been observed that the pace of submission of application by the project proponents in the "BHUNEER" portal is very slow.

In view of the above, it is requested that all Infrastructure projects (Residential apartments/ Group Housing Societies, corporate office buildings, petroleum retail outlets, hospitals, educational institutions, hotels and various recreational and commercial facilities like malls and sports complexes etc.) within the jurisdiction of Pune Municipal Corporation (PMC) abstracting groundwater, be strictly directed to obtain the No Objection Certificate (NOC) from the Central Ground Water Authority (CGWA) prior to the commencement of project activities.

Yours faithfully,


(Dr. U.S. Balpande)
Regional Director