

**BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE BENCH, AT CHENNAI  
ORIGINAL APPLICATION No. 86 OF 2025**

**Aranya, Parisara Mathu  
Havamana Badalavane Sangha**

...APPLICANT

VERSUS

**State of Karnataka and Others**

...RESPONDENTS

**INDEX**

<b>S. No.</b>	<b>Document</b>	<b>Pages</b>
1.	REPORT ON BEHALF OF RESPONDENT NO. 8 - Padubidri Gram Panchayath	1-6

**Filed by**



**Darpan KM  
Standing Counsel  
State of Karnataka  
LGF, K-6, Lajpat Nagar - III  
New Delhi 110 024  
darpan.advocate@gmail.com | +91 98991 25060**

**Date: 12.05.2026**

**Place: New Delhi**

**BEFORE THE NATIONAL GREEN TRIBUNAL, SOUTHERN  
ZONE BENCH AT CHENNAI**

**ORIGINAL APPLICATION No.86 OF 2025**

Between:

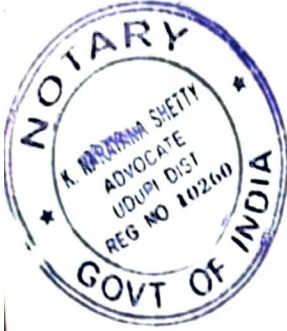
Aranya, Parisara Mathu Havamana  
Badalavane Sangha, Mangalore,  
Karnatak-575001.

..... Applicant

And

State of Karnataka  
Through the Chief Secretary,  
Bangalore Karnataka- 560001  
and others

..... Defendants



**COUNTER AFFIDAVIT FILED BY THE 8<sup>TH</sup> RESPONDENT,  
PADUBIDRI GRAMA PANCHAYAT**

I, Manjunath P., aged about 47 years, son of Prabhakara Shetty, being the Panchayath Development Officer of Padubidri Grama Panchayat, Kapu Taluk, Udupi District, Karnataka, do hereby solemnly affirm and sincerely state as follows:

1. I submit that I am the Panchayat Development Officer, the 8<sup>th</sup> respondent herein. I am aware of the facts of the case. I am authorized to file this counter affidavit on the behalf of the 8<sup>th</sup> respondent herein.
2. I say that the present Original Application has been filled by the Applicant raising issues relating to alleged improper solid waste and plastic waste management along NH66 and railway tracks between Surathkal, Nanthur and Talapady in Dakshina Kannada District.
3. At the outset, it is respectfully submitted that the 8<sup>th</sup> Respondent, Padubidri Grama Panchayat, has been unnecessarily arrayed as a party in the present proceedings, as no part of the cause of action alleged in the application arises within the territorial jurisdiction of this Respondent, and therefore, the impleadment of this Respondent in the present proceedings is unwarranted and without any factual or legal basis.
4. I say that the averments and allegations set out in the present Original Application are confined entirely to locations and stretches that fall within the territorial and administrative jurisdiction of the Mangalore City Corporation and other competent authorities, and do not in any manner relate to or arise within the notified limits of Padubidri Grama Panchayat. The areas

SIGNED BEFORE ME

NOTARY UDUPI

12/05/26

ಪಂಚಾಯತ್‌ನ ಅಧಿಕಾರಿ  
 ಪದುವಿದ್ರಿ ಗ್ರಾಮ ಪಂಚಾಯತ್  
 ಕಪು ತಾಲ್ಲೂಕು

.....2

referred to by the Applicant, including the concerned portions of National Highway-66 and the railway tracks, are situated outside the jurisdiction of this Respondent and are governed by the respective statutory bodies having control over those regions.

5. I say that without prejudice to the above preliminary objection, this respondent is filing the present counter affidavit to place on record the true and correct facts and its compliance with all statutory obligations.
6. I say that the entire stretch referred to in the Original Application, namely Surathkal-Kuntikan-Nanthur-Talapady stretch of NH66 and the railway tracks including Mangalore Junction (MAQ), fall outside the territorial jurisdiction of Padubidri Grama Panchayat.
7. I say that the waste dumping locations shown in the annexures and photographs relied upon by the Applicant do not fall within the limits of Padubidri Grama Panchayat, and in the absence of any nexus between the alleged dumping locations and the jurisdiction of Padubidri Grama Panchayat, no responsibility or obligation can be attributed to this Respondent with regard to the waste accumulation portrayed in the documents relied upon by the Applicant. Consequently, the reliance placed on such annexures and photographs insofar as this Respondent is concerned, is misconceived and unsustainable.
8. I say that the Applicant has not made any specific allegation against this Respondent nor issued any representation to this Respondent prior to filing the present Original Application.
9. I say that NH66 passes through Paubidri Grama Panchayat limits only in a limited stretch measuring approximately 3.52 K.M., namely Kolnad-Karnad Bypass-Shambhavi River Bed stretch and the stretch referred to by the Applicant in the Original Application does not fall within the above jurisdiction of this 8<sup>th</sup> Respondent.
10. I say that the railway tracks and Mangalore Junction ( MAQ ) referred to in the application are also outside the jurisdiction of Padubidri Grama Panchayat. Hence, this Respondent cannot be held responsible for any alleged waste accumulation outside its statutory limits.
11. Without prejudice to the above, I say that Padubidri Grama Panchayat is strictly complying with the Solid Waste Management Rules, 2016 and Plastic Waste Management Rules, 2016.



.....3  
 ಸಹಾಯಕ ನ್ಯಾಯಾಧಿಕಾರಿ  
 ಪದವಿಧಿ ನ್ಯಾಯ ಪರಿಷತ್  
 ಕಾಸು ತಾಲೂಕು

SIGNED BEFORE ME  
 NOTARY UDUPI

12/05/26

12. It is submitted that the 8<sup>th</sup> Respondent has made many schemes and maintenance of waste under the Plastic Waste Management Rules, 2016.

- I. Padubidri Grama Panchayat has established infrastructure for segregation, collection, storage, transportation, processing and disposal of plastic waste.
- II. Padubidri Grama Panchayat is carrying out segregation, collection, storage, transportation, proceeding and disposal of plastic waste from all households, commercial, institutional and other non-residential premises, and 8<sup>th</sup> Respondent Padubidri Grama Panchayat is ensuring that no damage caused to the environment during this process.
- III. Padubidri Grama Panchayat is giving recyclable plastic waste fraction to the local recyclers.
- IV. Padubidri Grama Panchayat is ensuring processing and disposal on non-recyclable fraction of plastic waste in accordance with guidelines issued by Central Pollution Control Board (CPCB).
- V. Padubidri Grama Panchayat is continuously doing IEC activities regarding ban on Single Use Plastic (SUP), enforcing penalties for use, sale and store of SUP in Panchayat limits.
- VI. Padubidri Grama Panchayat is ensuring open burning of plastic waste does not take place by imposing fines at regular intervals.
- VII. Padubidri Grama Panchayath has framed by law for incorporating the provisions of this rules.
- VIII. Provided training on solid waste management to waste collectors. sweeping of streets daily or alternative days from our solid and liquid waste management workers maintained by village level self-help groups.
- IX. Padubidri Grama Panchayat collect and transport construction and demolition waste as per provision of C&D waste management rules 2016 and Grama Swaraj and Panchayath Raj Amendment Act, 2020.
- X. Padubidri Grama Panchayat made adequate provision of funds for capital investment as well as O&M of solid waste management services in the annual budget.



SIGNED BEFORE ME

NOTARY UDUPI

12/05/20

ಪದ್ಮವಿಜಯ ಶರ್ಮಪ್ಪ ಶರ್ಮ  
 ಪದ್ಮವಿಜಯ ಶರ್ಮಪ್ಪ ಶರ್ಮ  
 ಕಾರ್ಯದರ್ಶಿ

.....4

13. I say that this Respondent is taking continuous steps to ensure that no waste is dumped within its jurisdiction including the NH66 stretch falling within Padubidri Grama Panchayat limits.
14. The 8<sup>th</sup> Respondent Padubidri Grama Panchayat has established:
- Material Recovery Facility (MRF) for dry waste along with Taluk Panchayath, Kapu at Yellur village.
  - Mechanism for collection of construction and demolition waste.
15. I say that adequate budgetary provisions have been made for solid waste management and regular street sweeping is carried out throughout the Panchayat.
16. I say that the 8<sup>th</sup> Respondent has taken many actions within the jurisdiction/limits of Padubidri Grama Panchayat.
- I. Regular sweeping of roads and side lanes is undertaken, and penalties are imposed on violators found dumping waste.
  - II. On receipt of any complaint regarding waste dumping within its jurisdiction, immediate action is taken for removal and scientific disposal of such waste.
17. I say that no notice or summons has been issued by the Karnataka State Pollution Control Board or any other Government authority against this 8<sup>th</sup> Respondent in relation to the violation of the waste management or present subject matter.
18. I respectfully say that, to the best knowledge of the 8<sup>th</sup> Respondent, no instance of environmental degradation or adverse impact upon water bodies, drainage system, public spaces or any eco-sensitive areas within the territorial limits of Padubidri Grama Panchayat has been reported or brought to the notice of this Respondent. There have been no complaints from residents, regulatory authorities or any other alleging pollution, contamination or environmental harm arising out of improper waste management within the jurisdiction of this Respondent.
19. I say that the 8<sup>th</sup> respondent Padubidri Grama Panchayat clearly demonstrates and effectively carrying out its statutory duties relating to sanitation and waste management, ensuring that environmental standards are maintained and that no damage is caused to natural resources or ecological system within its notified limits.



SIGNED BEFORE ME

NOTARY UDUPI

12/05/26

*[Handwritten Signature]*  
 K. Narayana Shetty  
 Advocate  
 Udupi District  
 Reg No 10260

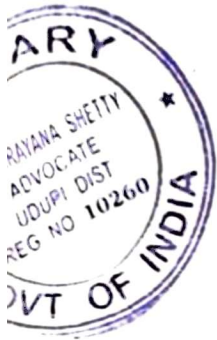
20. I respectfully say that any alleged accumulation of waste along the railway tracks or on stretches of National Highway-66 that fall beyond the territorial limits of Padubidri Grama Panchayat does not come within the administrative or statutory domain of this Respondent. The responsibility, if any, for prevention, collection, management and scientific disposal of waste in such areas squarely lies with the respective authorities and agencies exercising ownership, control and jurisdiction over the said railway premises and national highway stretches.

21. I say that in the absence of any statutory mandate, administrative control or operational authority over those areas, this Respondent cannot undertake enforcement or waste management activities beyond its notified limits. Accordingly, any grievance relating to waste accumulation outside the jurisdiction of Padubidri Grama Panchayat is liable to be addressed by the competent authorities concerned, and no liability can be attributed to this respondent in respect thereof.

22. I say that this Respondent cannot be pushed with any responsibility or liability in respect of areas that lie beyond its notified municipal limits and statutory control. The functions and duties of Padubidri Grama Panchayat under the relevant municipal and environmental laws are confined strictly to its territorial jurisdiction and therefore, any alleged waste accumulation or environmental concern arising outside such limits falls exclusively within the domain of the competent authorities having administrative and statutory control over those areas. Consequently, this respondent cannot be held accountable, either directly or vicariously, for acts or omissions pertaining to locations that are outside its jurisdiction and over which it has neither regulatory authority nor operational control.

23. Without prejudice to the foregoing submissions and objections, I respectfully say that Padubidri Grama Panchayat remains fully committed to ensuring proper environmental management and adherence to all applicable statutory norms within its territorial limits. The Panchayat has consistently undertaken measures for scientific waste management, sanitation and environmental protection in accordance with the Solid Waste Management Rules, 2016 and Plastic Waste Management Rules, 2016 and Gram Swaraj and Panchayath Raj Amendment Act, 2020.

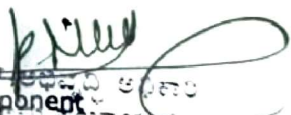
24. I say that this respondent holds the highest regard for the directions and authority of this Hon'ble Tribunal and shall faithfully comply with any order or direction that may be enforceable within the statutory and territorial jurisdiction of Padubidri Grama Panchayat.



SIGNED BEFORE ME  
 NOTARY, UDUPI 12/05/26

*[Signature]*  
 ಪಂಚಾಯತ್ ಅಧಿಕಾರಿ  
 ಪದುವಿದ್ರಿ ಗ್ರಾಮ ಪಂಚಾಯತ್  
 ಕಾಪು ತಾಲೂಕು

- 25. I say that the Applicant has not produced any material to show that any violation of the Solid Waste Management Rules, 2016 or Plastic Waste Management Rules, 2016 has been committed by this respondent within its jurisdiction. In the absence of any specific allegation or supporting material against this respondent, continuation of proceedings against respondent No.8 is unnecessary and liable to be dispensed with.
  
- 26. I respectfully say that the present Original Application, appear to have been filed without properly verifying the territorial jurisdiction of this respondent, has unnecessarily implicated this respondent without any factual or territorial basis. The allegations raised by the Applicant pertain to areas that are demonstrably outside the jurisdiction of Padubidri Grama Panchayat and the inclusion of this respondent appears to be unwarranted and misconceived. Such Implement, without any specific allegation or material showing lapse on the part of this respondent has resulted in needless proceedings against a local body that has been diligently discharging its statutory duties in accordance with the Solid Waste Management Rules, 2016 and Plastic Waste Management Rules, 2016 and Gram Swaraj and Panchayath Raj Amendment Act, 2020.
  
- 28. I, therefore, most respectfully pray that this Hon'ble Tribunal may be pleased to record the submissions of the 8<sup>th</sup> respondent and dismiss the above Original Application as against Respondent No.8, and pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case, in the interest of justice and equity.

  
 Deponent  
 The Panchayath Development Officer,  
 Padubidri Grama Panchayath, Padubidri.

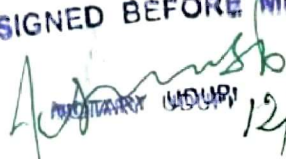
Solemnly affirmed at Padubidri on  
 This 12<sup>th</sup> day May 2026, the  
 Contents of this affidavit have been  
 Read over and explained to the  
 8<sup>th</sup> respondent in English and appeared  
 To have understood the same and signed  
 His name in my presence.

BEFORE ME



ADVOCATE



SIGNED BEFORE ME  
  
 12/05/26