

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE AT PUNE

IN

ORIGINAL APPLICATION NO. 34 OF 2025

IN THE MATTER OF:

VISHWAJIT RAMCHANDRA DIXIT

..APPLICANT

VERSUS

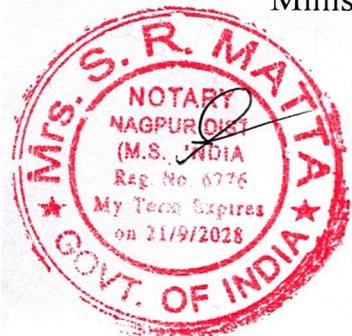
UNION OF INDIA & ORS.

..RESPONDENTS

REPLY AFFIDAVIT ON BEHALF OF THE MINISTRY OF  
ENVIRONMENT, FORESTS & CLIMATE CHANGE  
(RESPONDENT NO.1.

I, Dr. Purushottam Sakhare, S/o Shri Ramdas Sakhare, aged about 57 years, working as Scientist "E" at the Ministry of Environment, Forest & Climate Change (MoEF&CC), Regional Office (WCZ), Ground Floor, East Wing, New Secretariat Building, Civil Lines, Nagpur-440001, do hereby solemnly affirm and declare on oath as under:

1. That, I am authorized to swear the present affidavit on behalf of the Ministry of Environment, Forest & Climate Change (MoEF&CC).



*Purushottam Sakhare*

2. That the present application has been filed against the severe sewage and wastewater pollution caused by 80 flats and 26 bungalow projects in the surrounding area of the farmland. It is alleged that untreated wastewater is degrading farmland, crops, and soil, and contributing to the pollution of the Bhima River.

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

Besides, the State Pollution Control Boards/Pollution Control Committees concerned are mandated and 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.

4. That the Central Government has enacted Water (Prevention and Control of Pollution) Act, 1974, which specifically deals with issues related to control and abatement of pollution in water bodies including drains. The implementation of the provisions of these Act

  
S. S. Kulkarni



are with the Central Pollution Control Board (CPCB) and concerned State Pollution Control Boards (SPCBs).

5. It is submitted that Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 mandates that no person shall, without the previous consent of the concerned State Pollution Control Board, establish any industry, operation or process, or bring into use any new or altered outlet for the discharge of sewage or trade effluent, or make any new discharge of sewage or trade effluent into a stream, well, sewer, or on land.
6. Further, it is also submitted that water is a State subject and the major sources of pollution in rivers (Point sources: sewage and industrial pollution; Non-point sources: solid waste, open defecation, agricultural run-off etc.) fall under the civic, health and sanitation responsibilities of the State Government and/or municipalities/ local bodies. The respective States/municipalities/local bodies, therefore, are having the primary responsibility in tackling these sources of pollution out of their budget and internal revenue generation. They are also responsible for setting-up proper facilities for collection and treatment of sewage being generated in various towns to ensure that untreated sewage does not pollute the water bodies and surroundings.



*M. A. Mattha*

7. It is humbly submitted that answering respondent had notified the Solid Waste Management (SWM) Rules, 2016 in supersession to the Municipal Solid Waste (Management and Handling) Rules, 2000 vide GSR no. 1357 (E) on dated 8<sup>th</sup> April, 2016. As per the Rule 16 of SWM Rules, 2016, the State Pollution Control Board or Pollution Control Committee are responsible for the effective enforcement of these rules in their State through local bodies in their respective jurisdiction and review implementation of these rules at least twice a year in close coordination with concerned Directorate of Municipal Administration or Secretary-in-Charge of State Urban Development Department.
8. In view of the foregoing submission, it is respectfully prayed that the Hon'ble Tribunal may kindly pass such order(s) as may be deemed fit and proper in the facts and circumstances of this case.

*Dr. P. R. Sakhare*

**DEPONENT**

(डॉ. पी. आर. साखरे)  
(Dr. P. R. Sakhare)

वैज्ञानिक 'ई' / Scientist 'E'.  
पर्यावरण, वन एवं जलवायु परिवर्तन विभाग  
Ministry of Environment, Forest & Climate Change  
क्षेत्रीय कार्यालय, नागपुर - 440019  
Regional Office, Nagpur-440019



**VERIFICATION:**

I, the above named Deponent, do hereby verify that the contents of the above affidavit are true and correct to my knowledge as per the records of the answering respondents. No part of it is false and nothing material has been concealed there from.

Verified at Nagpur on this 2<sup>nd</sup> Day of January, 2026

*Dr. P. R. Sakhare*

**DEPONENT**  
(Dr. P. R. Sakhare)  
वैज्ञानिक 'ई' / Scientist 'E'  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
Ministry of Environment, Forest & Climate Change  
क्षेत्रीय कार्यालय, नागपुर-440003  
Regional Office, Nagpur-440003

**NOTARIAL REC**  
ENTRY No. 0118  
DATE 2/1/2026

**S. R. MATTA**  
NOTARY  
NAGPUR (M.S.)  
REG. NO. 6776  
GOVT. OF INDIA

SWORN BEFORE ME ON THIS 2<sup>nd</sup> TH  
DAY OF Jan 2026 AT NAGPUR BY  
SHRI / SMT/KU. Dr. P. R. Sakhare  
R/O NAGPUR WHO HAS BEEN IDENTIFIED BY  
SHR / SMT.....  
ADVOCATE, NAGPUR.

*S. R. Matta*  
**Mrs. S. R. MATTA**  
ADVOCATE & NOTARY  
918-B, Clarke Town, Nagpur-14

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

भारत INDIA 5₹  
पाँच रुपये FIVE RUPEES  
NOTARIAL  
NAGPUR  
GOVT. OF INDIA

**S. R. MATTA**  
NOTARY  
NAGPUR (M.S.)  
REG. NO. 6776  
GOVT. OF INDIA