



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH, PUNE
ORIGINAL APPLICATION NO. 37/2025

Pushkar Kulkarni

... Applicant

Vs.

Pune Municipal Corporation and Ors.

... Respondents

REPLY AFFIDAVIT BY RESPONDENT NO. 6,

STATE OF MAHARASHTRA THROUGH THE PRINCIPAL SECRETARY, WATER
SUPPLY AND SANITATION DEPT

&

REPLY AFFIDAVIT BY RESPONDENT NO. 8,

GROUNDWATER SURVEYS AND DEVELOPMENT AGENCY, THROUGH ITS
COMMISSIONER

I, Dr. Vijay Pakhmode, Incharge Commissioner in Groundwater Surveys and Development Agency, Water Supply and Sanitation Department, Government of Maharashtra do hereby state on solemn affirmation as under –

I am well conversant with the facts of the present case and I am competent to swear this Affidavit based upon the records available with this office.

- The present Application has been filed to seek immediate action to address the issue of water pollution of drinking water sources which has resulted in the outbreak of Guillain-Barre Syndrome (“GBS”) in the Pune district and the alleged failure to implement the provisions of the State Groundwater Act and the CGWA *Guidelines to Regulate and Control Groundwater Extraction in India* within Pune District.



2. It is submitted that the Applicant has made certain averments against Respondent No. 6 and 8, to which Dr. Vijay Pakhmode, Incharge Commissioner is submitting its reply on behalf of both, Respondent no 6 and 8

I, say and submit that I am duly authorized to file this affidavit. I further say submit that I crave leave to file additional affidavit if required in due course of hearing

3. Role Clarification -

- i. Water Supply & Sanitation Department is responsible for providing clean drinking water in rural areas and for making policy decisions (& implementing them) around drinking water supply and sanitation. It coordinates & controls national/state programs such as Jal Jeevan Mission, Swachh Bharat Mission (Rural), etc.

Water Supply and Sanitation Department ("WSSD") acts as nodal agency for the implementation of Jal Jeevan Mission in rural Maharashtra with primary objective to provide every rural household with Functional Household Tap Connection (FHTC).

- ii. GSDA is entrusted with the mandate of developing and disseminating technologies, monitor and implement national and state policies for the scientific and sustainable development and management of groundwater resources.

4. Response to GBS Outbreak & Water Contamination

- i. Respondent No. 6 (WSSD) submits that the operational control, licensing, and daily monitoring of water tankers and private water sources within city limits fall under the statutory duty of the Pune Municipal Corporation, Pimpri-Chinchwad Municipal Corporation. Denied for want of knowledge.
- ii. Respondent No. 8 (GSDA) submits that its mandate does not extend to disease outbreak investigation or microbiological testing for public health. However, in line

with government policy and as part of the Water Quality Monitoring and Surveillance Program, state has established an extensive Water Quality Monitoring and Surveillance framework. The GSDA operates a network of 178 water quality testing laboratories across the state (6 Regional, 28 District, and 138 Sub-divisional)

iii. The monitoring process involves:

- a. Sample collection at the village level by 'Jalsurakshaks' fixed by Zila parishad.
- b. Chemical and bacteriological analysis at the respective laboratories. All regional and district laboratories (34) are NABL accredited, and 143 sub-divisional laboratories have also received NABL certification.
- c. Testing is conducted as per BIS Standard (IS 10500:2015).

iv. Results indicating water unfit for consumption are formally communicated to the respective Gram Panchayats and Primary Health Centers for remedial action, as per Government Resolution dated 20th July 2022 (Annexure -1)

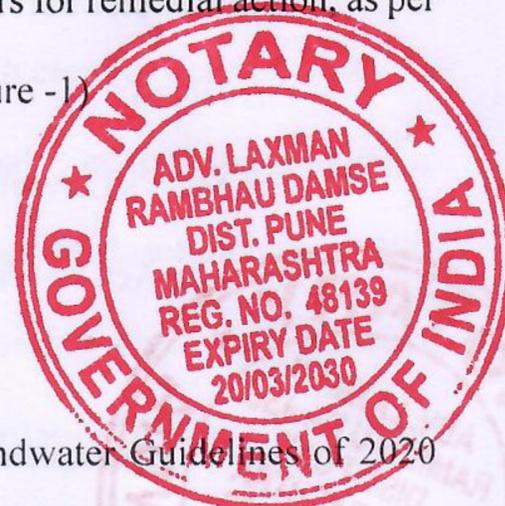
5. On Groundwater Extraction Guidelines & NOCs

1. Reply to Paras 17 to 22 –

The contents of these paragraphs detailing the Central Groundwater Guidelines of 2020 and their amendments. Respondent No. 6 (WSSD) and Respondent No. 8 (GSDA) clarifies that these are Central Government guidelines, and **the designated authority for their enforcement including issuing NOCs and taking penal action, is the Central Ground Water Authority (Respondent No. 9). So not related to GSDA or WSSD.**

2. The enactment of the Maharashtra Groundwater (Development and Management) Act, 2009, is admitted.

1. Respondent No. 8 (GSDA) submits that the process of framing and notifying the Rules

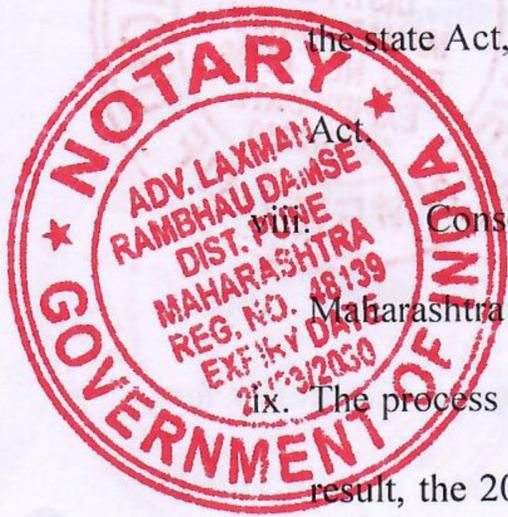


under the Act is under active consideration by the State Government.

- i. Implementation Status of the said act:
- ii. The Act was brought into force on 1st June 2014.
- iii. Draft rules for its implementation were published on 25th July 2018 for public consultation.
- iv. A final draft of the rules, incorporating public suggestions, was submitted to the Government of Maharashtra (GOM).
- v. However, Central Ground Water Authority (CGWA) on 24th September 2020, under the Environment (Protection) Act, 1986 has notified the "*Guidelines to Regulate and Control Groundwater Extraction in India*".
- vi. All powers under the provisions of the Guidelines to Regulate and Control Groundwater Extraction in India vest with the Central Ground Water Authority/Board. Accordingly, the Groundwater Survey and Development Agency do not possess any statutory authority in this regard.
- vii. The State's Law and Judiciary Department has opined that these central guidelines override the state Act, so State needs to change some provisions based on Environment (Protection) Act.
- viii. Consequently, on the instructions of WSSD, GSDA has submitted a new draft of Maharashtra Groundwater Act to align it with the central govt. guidelines.
- ix. The process of new draft of Maharashtra Groundwater Act is currently ongoing, and as a result, the 2018 Rules remain unnotified, preventing the full implementation of the Act. Thus, regulation on groundwater extraction and pollution particularly in urban areas has limitations.
- x. As established, the regulatory framework of the 2009 Act is not yet fully operational.

6. GROUNDS

The role of Respondent No. 6 (WSSD) is a policy-making and administrative department of the State Government. Water Supply and Sanitation Department, Govt.



Maharashtra is mandated for making policy decisions and providing clean drinking water in rural areas. The WSSD is overall responsible for implementation of various centrally or state sponsored schemes such as JJM , NRDWP ,Bharat Nirman etc.

Whereas, G.S.D.A. is engaged, in the exploration, development and augmentation of groundwater resources in the State through various schemes.

So, they (Respondent No6 and Respondent No 8) deny any wilful inaction within the scope of their defined mandates and available legal tools.

PRAYERS

To ensure the supply of safe, potable drinking water to all rural households and public institutions as part of the Jal Jeevan Mission. Water Supply and Sanitation Department has already established a detailed Standard Operating Procedure (SOP) through the Government Resolution dated 20th July 2022.(Annexure A) This SOP creates a multi-tiered committee system from village to state level, with clearly defined roles for monitoring (by water supply agencies). However Municipal Council and Municipal Corporation level do not come under the gamut of the Government Resolution dated 20th July 2022 (Standard Operating Procedures (SOPs) for providing clean and sufficient drinking water) as these institutions/areas are not under administration of Water Supply and Sanitation Department . In light of the above averments, this respondent craves leave to file any additional reply as and when required. It is respectfully prayed that the Department shall abide by any orders and directions issued by the Hon'ble Tribunal.

Whatever is stated above is true and correct to the best of my knowledge, ability and belief and I affirm it to be true.



Pune

Date 03/02/2026




Deponent

Groundwater Surveys and Development Agency,
Water Supply and Sanitation Department, Pune
Government of Maharashtra



VERIFICATION

I, Dr. Vijay Pakhmode, Incharge Commissioner in Groundwater Surveys and Development Agency, Water Supply and Sanitation Department, Government of Maharashtra, having my office address at Bhujal Bhavan, Shivaji Nagar. Pune – 411005, do hereby verify and declare that the statements made in the aforesaid paras are true and correct to the best of my knowledge and information and I believe the same to be true and that no material is has been concealed therefrom.

Solemnly affirmed on this 03 day of February, 2026 at Pune.

Deponent



Groundwater Surveys and Development Agency, Pune
Water Supply and Sanitation Department,
Government of Maharashtra

BEFORE ME


3/2/26

ADV. LAXMAN RAMBHAU DAMSE
NOTARY GOVT. OF INDIA
PUNE, MAHARASHTRA

