

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

Original Application No. 04 Of 2026 (WZ)

IN THE MATTER OF:

GANESH DEVICHAND SALUNKE

...APPLICANT

VERSUS

DISTRICT COLLECTOR, PUNE & ORS

...RESPONDENT(S)

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Respondent No. 8 to 10

Filed by

Through



New Delhi
Dated

GIGI.C. GEORGE

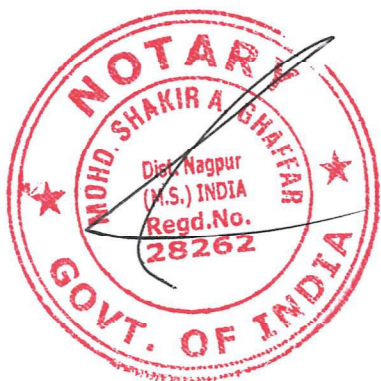
Advocate

Standing Counsel (UOI)

NATIONAL GREEN TRIBUNAL

Email: gagicgeorge.adv42@yahoo.in

M-9810625315



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REPLY BY WAY OF AFFIDAVIT ON BEHALF OF RESPONDENT NO. 8 to 10 (CENTRAL GROUND WATER BOARD, Faridabad, Central Region, Nagpur & State Unit Office, Pune respectively) IN COMPLIANCE OF ORDER DATED 16.02.2026

I Dr. Umesh S. Balpande S/o. Shri Shesharao Balpande Aged 50 Years working as Regional Director in Central Ground Water Board, New Secretariate Building, opp. VCA Stadium, Civil Lines, Nagpur-440001 do hereby solemnly affirm and declare as under:

1. That the present reply is being filed by Respondent No. 9 on behalf of respondent No. 8 to 10. I am competent and authorized by the competent authority to file the same.
2. That I am, in my aforementioned official capacity, well conversant with the facts and circumstances of the present case, based on the records and documents available with the department. As such, I am competent and authorized to swear and file the present reply affidavit on behalf of the Respondent No. 8 to 10 (hereinafter referred to as "answering respondents").
3. That the present Original Application (OA) pertains to the issue of illegal groundwater extraction activities allegedly being carried out by



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Respondent No. 18 Mr. Rashid Gafur Kazi and 19 Mr. Rehan Rashid Kazare, situated at Survey No. 55/4, Kondhwa Budruk, Pune, Maharashtra. The matter concerns alleged extraction and commercial use of groundwater without obtaining the mandatory "No Objection Certificate (NOC)" from the Central Ground Water Authority (CGWA), in violation of the provisions of the Environment (Protection) Act, 1986 and the guidelines issued thereunder. The matter is presently under consideration before this Hon'ble Tribunal.

PARA-WISE REPLY

4. That in compliance with the directions of this Hon'ble Tribunal, the present reply affidavit is being filed on behalf of the answering respondent placing on record the status regarding inspection and action taken in respect of alleged groundwater extraction activities being carried out at Survey No. 55/4, Kondhwa Budruk, Pune, by Respondent No. 18 – Mr. Rashid Gafur Kazi and Respondent No. 19 – Mr. Rehan Rashid Kazi for commercial purposes through the firm M/s Kazi Water Suppliers.
5. That it is respectfully submitted that, as per the records available with the CGWA, M/s Kazi Water Suppliers, situated at Survey No. 55/4, Kondhwa Budruk, Pune, has not obtained any NOC/permission from CGWA, Central Region, Nagpur, Maharashtra for extraction of groundwater.
6. That pursuant thereto, a site inspection was conducted on 12.02.2026 by the officers of CGWB, SUO, Pune(R-10) at the premises of the said unit. During the course of inspection, it was observed that the unit has two (02) existing

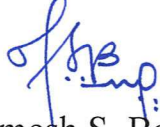
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dug wells and two (02) bore wells equipped with power-operated pumping systems and the extracted groundwater was being utilized for commercial purposes, namely water supply through tankers.

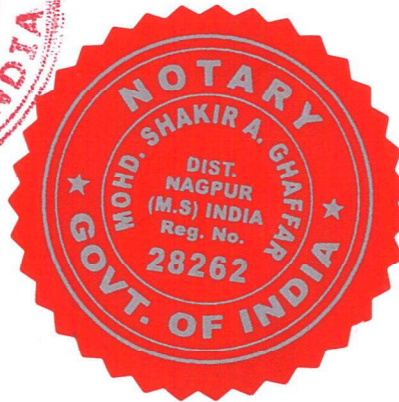
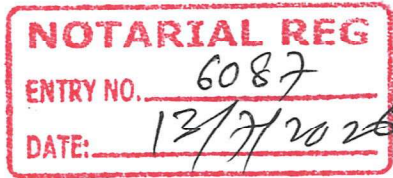
7. That the aforesaid act of groundwater extraction and commercial utilization without obtaining prior NOC from CGWA is in violation of the guidelines issued by the Central Ground Water Authority under the provisions of the Environment (Protection) Act, 1986.
8. That accordingly, a Show Cause Notice dated 23/04/2026 has been issued to M/s Kazi Water Suppliers, calling upon the said unit to explain the unauthorized groundwater extraction activities. A copy of the said Show Cause Notice has also been forwarded to the District Collector, Pune since the power to seal illegal groundwater abstraction structures vests with the concerned District Collector/District Magistrate in terms of CGWA Guidelines dated 29.04.2020. A copy of the Show Cause Notice is annexed herewith and marked as **Annexure-I.**
9. Consequent to the non-receipt of any response to the Show Cause Notice issued to M/s Kazi Water Suppliers, the matter has been referred to the District Collector, Pune, vide letter No 7/18A/CGWB/CR/ Authority-4040 dated 26.05.2026, for taking inter-alia appropriate action in accordance with the guidelines of the Ministry of Jal Shakti and to direct the Project Proponent to apply for No Objection Certificate for ground water abstraction from CGWA. The copy of the said letter is annexed as **Annexure-II.**
10. Also, if and when the application for NOC is received by CGWA, Groundwater abstraction charges, penalty, and environmental compensation (for extraction of ground water without NOC) shall be levied in accordance with the CGWA Guidelines dated 24.09.2020.
11. Action taken report from district collector, Pune is still awaited.



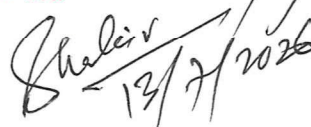
12. That in view of the aforesaid submissions, it is respectfully prayed that this Hon'ble Tribunal may graciously be pleased to take the present reply affidavit on record and pass such further orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present case.


Dr. Umesh S. Balpande
Regional Director, CGWB, CR, Nagpur

डॉ. उमेश एस. बालपंडे/Dr. Umesh S. Balpande
क्षेत्रीय निदेशक/Regional Director
भारत सरकार/Government of India
केन्द्रीय भूमि जल बोर्ड/Central Ground Water Board
जल संसाधन, नदी विकास और/Department of Water Resources
गंगा संरक्षण विभाग/River Development & Ganga Rejuvenation
जल शक्ती मंत्रालय/Ministry of Jal Shakti
मध्य क्षेत्र, नागपुर/Central Region, Nagpur



SWORN BEFORE ME ON THIS 13th DAY OF July 2026 AT NAGPUR BY
SHRI / SMT. / KU. AS case
R/O Nagpur WHO HAS BEEN IDENTIFIED
BY SHRI. / SMT. Adv. MSA EL
ADVOCATE, NAGPUR.


13/7/2026

MOHD SHAKIR A. GHAFFAR
NOTARY
DIST. NAGPUR (M.S.) INDIA



I, Dr. Umesh S. Balpande, S/o. Shri Shesharao Balpande Aged 50 Years working as Regional Director in Central Ground Water Board, New Secretariate Building, opp. VCA Stadium, Civil Lines, Nagpur-440001 do hereby verify on 10 July 2026 at Nagpur the contents of the above paragraphs which are true and correct to the best of my knowledge and belief and/or are in the nature of legal submissions which I believe to be true and no material has been suppressed herewith.



Dr. Umesh S. Balpande
Regional Director, CGWB, CR, Nagpur

Deponent

डॉ. उमेश एस. बालपांडे/Dr. Umesh S. Balpande
क्षेत्रीय निदेशक/Regional Director
भारत सरकार/Government of India
केन्द्रीय भूमि जल बोर्ड/Central Ground Water Board
जल संसाधन, नदी विकास और/Department of Water Resources
गंगा संरक्षण विभाग/River Development & Ganga Rejuvenation
जल शक्ती मंत्रालय/Ministry of Jal Shakti
मध्य क्षेत्र, नागपुर/Central Region, Nagpur

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भारत सरकार

Government of India

जल शक्ति मंत्रालय

Ministry of Jal Shakti

जल संसाधन, नदी विकास एवं गंगा संरक्षण विभाग

Department of Water Resources, River Development & Ganga Rejuvenation

केन्द्रीय भूजल प्राधिकरण/Central Ground Water Authority



No. 7/29/CGWB/CR/Authority- 3085

Date:23/04/2026

SHOW CAUSE NOTICE**Sub: Illegal Ground Water Withdrawal without valid CGWA NOC- reg.**

As per CGWA site inspection dated 12/02/2026, groundwater extraction activities are carried out by M/s Kazi Water Suppliers, located at Survey No. 55/4, Kondhwa Budruk, Pune. During inspection, it was observed that the unit has existing two (02) dug wells and two (02) bore wells fitted with power pumps. Groundwater is being extracted from these structures. The extracted groundwater is being used for commercial purposes, i.e., tanker water supply.

As per verification of records, it is found that the unit has not obtained mandatory No Objection Certificate (NOC) from CGWA for groundwater extraction. The above act of groundwater extraction without prior NOC is in violation of CGWA guidelines issued under the Environment (Protection) Act, 1986.

Now therefore, the Authority in exercise of powers under section 5 of the Environment (Protection) Act, 1986 hereby directs you to Show Cause as why your ground water abstraction structure(s) (dugwell/borewell/tubewell/dewatering structure) should not be sealed for illegal withdrawal of ground water. You are hereby given an opportunity to submit explanation within 15 days from the date of receipt of this notice, failing which the authority shall proceed in accordance with law, at your own risk, cost and responsibility including sealing of ground water abstraction structures and imposition of environmental compensation for illegal withdrawal of groundwater.

Priyanka Sonbarse
23.4.26
(Priyanka Sonbarse)
Scientist-D
for Regional Director

To,
M/s Kazi Water Suppliers
Survey No. 55/4
Kondhwa Budruk
Pune - 411048

Copy for information:

1. The District Collector Office, Opposite Sassoon Hospital, Station Road, Pune-411001.

Priyanka Sonbarse
(Priyanka Sonbarse)
Scientist-D
for Regional Director



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Government of India

जल शक्ति मंत्रालय

Ministry of Jal Shakti

जलसंसाधन, नदी विकास एवं गंगा संरक्षण विभाग

Department of Water Resources, River Development & 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. 7/18A/CGWB/CR/Authority-

सिविल लाइन्स, नागपुर - 440 001 (MH)

Civil Lines, Nagpur - 440 001 (MH)

दिनांक / Date: 26.05.2026

L 040

To,

✓ The District Collector

Collectorate Office

New Collector Office Building

Opposite Sassoon Hospital, Railway Station Rd,

Pune - 411 001 (Maharashtra)

Sub: Illegal Ground Water Withdrawal by Project M/S. Kazi Water Suppliers, for the project 'Bulk Water Supply', Kondhwa Budruk, Pune- reg.

Sir,

With reference to the above cited subject, it is to inform that M/s. Kazi Water Suppliers for the project "Bulk Water Supply" at Survey No. 55/4, Kondhwa Budruk, Pune, is carrying out illegal groundwater extraction for commercial use, tanker-based abstraction activities, and violating the conditions stipulated under the guidelines of the Central Ground Water Authority (CGWA).

As per the notified guidelines of CGWA dated 24.09.2020 and CGWA, New Delhi order dated 23-10-2017, the District Collectors / Deputy Commissioners are authorized to initiate action in case of violation like sealing of the abstraction structures, imposition of Penalty, Environmental Compensation for illegal withdrawal of ground water, launching of prosecution against offenders etc.

In view of the above, it is requested to kindly take necessary action against M/s. Kazi Water Suppliers, who is allegedly extracting groundwater and supplying tanker water without obtaining a valid CGWA NOC in Pune. Further, the project proponent may also be directed to apply for CGWA NOC for groundwater abstraction at the earliest through the online CGWA portal (<https://cgwa-bhuneer.mowr.gov.in/>).

CGWA, Central Head Quarter has expressed its serious concerns over illegal extraction by the tankers and seeking action taken report on illegal extraction. Hence it is requested to kindly communicate the action taken against the illegal extraction of ground water in the above case.

Yours faithfully

(Dr. U. S. Balpande)
Regional Director

Copy to: The Regional Director, CGWA, Olof Palme Marg, Sector 3, Hauz Khas, adjacent to IIT Delhi, New Delhi 110016 for kind information.

/

(Dr. U. S. Balpande)
Regional Director