

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL****WESTERN ZONE BENCH****ORIGINAL APPLICATION No. 32 of 2024 (WZ)**

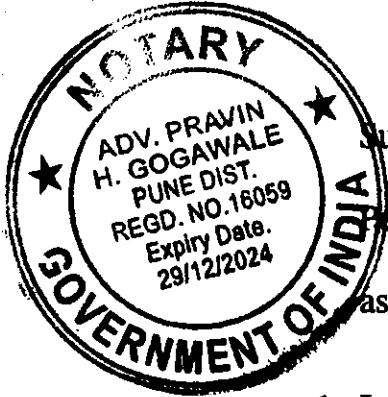
Anuj Abhay Deshpande &amp; Ors.

....Applicant

Versus

The Pune Municipal Corporation &amp; Anr.

....Respondents

**Affidavit on behalf of Respondent No. 1 Pune Municipal Corporation**

I, Shrikant Sudam Waydande, Age: 56 years,  
Superintendent Engineer, Water Supply Projects Division,  
Pune Municipal Corporation, do state on solemn affirmation  
as under:

1. It is submitted that I am working as Superintending Engineer,  
Water Supply Project Division in Pune Municipal  
Corporation (Henceforth referred as "PMC" for the sake of  
brevity) and I am authorized to file an affidavit before the  
Hon'ble National Green Tribunal on behalf of Respondent  
No. 1, the PMC and this affidavit has been prepared on the

basis of information given to me and documents made available to me.

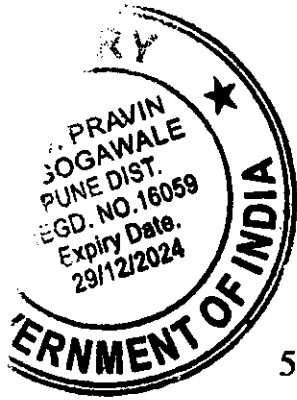
2. At the outset I deny all the contentions and/or statements and/or allegations contained in the present Original Application to the extent those are contrary to and/or inconsistent with what is stated in the present Affidavit. Nothing contained in the Original Application should deem to be admitted by the answering Respondent for the want of specific traverse unless the same would be specifically admitted herein below. I crave leave of this Hon'ble Tribunal to file an additional Affidavit as and when the occasion so arises.
3. It is submitted that we are filing this Reply Affidavit for the purpose of opposing this Original Application at the stage of Admission.
4. It is submitted that the Applicants in the present Original Application are seeking prayers as given below,



a) *The Respondent No.1 may kindly be directed to change the location of the construction of water tanks considering the environmental damage.*

b) *The Respondent No.1 may kindly be directed to stop the work with immediate effect as the same may cause irreparable damage to the citizens of Pune City till the present Application is finally decided.*

c) *Any other just and equitable order in the interest of justice may kindly be passed.*

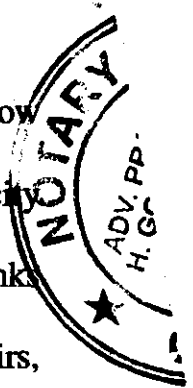


5. Need for Construction of New Water Reservoirs at Gut No. 262, Fergusson College Hill: -

- a. Water Supply is a mandatory duty of PMC under Maharashtra Municipal Corporation Act, 1949.
- b. Water Supply Project Consultant M/s. S.G.I. prepared and submitted the Water Supply Scheme for Pune City to Pune Municipal Corporation in the form of Detailed Project Report (DPR) based on the population projection till year 2047. PMC approved the DPR vide resolution No. 60 dated 22/05/2015. The said

revamping project have been divided into construction of Water tanks and laying of transmission lines, laying distribution pipelines, modern AMR meters etc. based on the zones coming under various water treatment plants and tenders have been invited accordingly. As far as the construction of water tanks is concerned the expenditure has been shared by Central and State government under Amrut Scheme.

- c. Pune city is geographically divided into high and low areas because of its saucer type shape of city topography. Due to lower number of water tanks leading to insufficient capacity of storage reservoirs, PMC cannot achieve the objectives of equitable water supply within the city area causing many complaints about low pressure water supply and interrupted water supply etc. Also due to old and longer water lines in some parts of the city, the water consumption is high and there are also complaints of polluted water. So, PMC has considered laying new water lines and



carrying out metering throughout the city to carry out water audit.

- d. As a solution to the above problems, PMC has planned to implement the water supply project for revamping the entire distribution system. The city area has been divided into 141 water zones. Zones will receive water through the dedicated water tanks with flow and pressure in the network prescribed in Amrut Scheme guidelines. PMC consultant has used software for the hydraulic analysis of this revamping project. Thus, the water demand and supply to each of the water zones is completely based on the projected population ranging from 2022 to 2042. The objectives of this revamping project are as follows.

- I. To conduct a thorough study of all existing water supply systems and the entire water supply network Design using the latest computer software.



- II. Construction of water tanks to increase storage capacity as required.
- III. Laying of required pressure pipes for supplying water tanks.
- IV. Shutting off old water lines flowing through streets and laying new water lines as required.
- V. 100% replacement of domestic connection water pipes and installation of smart meters with latest technology.
- VI. Construction of new pumping stations at 5 locations in the city, replacement of old pumps and installation of up-to-date automatic systems.
- VII. Construction of Customer Convenience Centre, setting up test bench for meter testing.
- VIII. There are 3 new water tanks newly proposed at Bhamburda (Shivajinagar) Gut No. 262 Ferguson College Hill. therefore, SR was of stone masonry and dilapidated and out of engineering service and therefore it has been

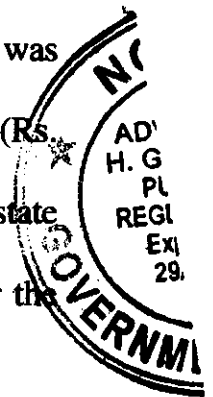


planned to demolish it and construct the new concrete reservoirs in series to cater the need of water demand considering the population ranging from 2022 to 2042. These newly proposed 3 reservoirs will cater to the need of water demand of three water zones such as 1) Modern college zone, 2) BMCC zone, 3) Ferguson college zone.




Sr.No.	Zone Name	Proposed Water Tank	Population 2022	Demand 2022 in ML	Population 2032	Demand 2032 in ML	Population 2047	Demand 2047 in ML	Tank Capacity in ML (@ 1/3 rd of Demand)
1	BMCC	FC proposed ESR-1	6632	2.02	14458	4.39	15920	5.12	2
2	Modern college	FC proposed GSR	49443	15.08	107785	32.7	118685	38.17	13
3	Ferguson College	FC proposed ESR-2	10722	3.27	23373	7.26	36412	9.83	3.5
			<b>Total Demand in ML</b>	<b>20.37</b>		<b>44.35</b>		<b>53.12</b>	<b>18.5</b>

- e. The water demand is based on the various land uses as per the provisions made in the City Development Plan such as commercial use, education use, hospital use, residential use, slums, non-revenue water, losses etc and other urban users in coming in these zones.
- f. The estimated amount of water tank construction was Rs. 235.95 crores, out of which 50% subsidy (Rs. 117.97 Crores) has been sanctioned by the state Government for the work of the said tanks under the Amrut Scheme.
- g. The 2 old water tanks were constructed around 50 years ago when SNTD water tanks and pumping were not in existence. Earlier the pure water was supplied from Parvati Water Treatment Plant to Aryabhushan pumping station at FC Road and from there it was pumped to these water tanks on FC Hill to supply water by using the force of gravity. After the construction of tanks SNTD this water supply scheme was stopped. Since then, these 2 water tanks were not in use. The



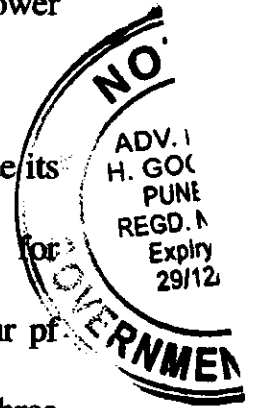


water tank structure was built in stone masonry and now as per govt. norms those are unusable/ out of engineering service structures having their age more than 50 years. Also, their capacities are insufficient. Therefore, PMC has decided to demolish them and construct new water tanks as per the revised demand of growing population of Pune.

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- h. The construction of Water Storage Tanks at Gut No. 262, Fergusson College Hill will save a lot of energy consumption that would be required for direct Water Distribution through pipelines spread over about 8.5 sq. km. area within Pune city as Hill has a height and therefore there will be benefit of gravitation force.
  - i. Engineering analysis has been carried out for satisfying the water demand of population from 2022 to 2047 and accordingly the highest location is selected to distribute water by gravity.
  - j. There is no other alternative piece of land suitable to construct these water reservoirs in order to cater water

in the water zones in the vicinity of this hill. The high altitude topographical position will help water distribution under gravity. Pumping of around 18.5 million liters of water per day over 8.5 sq.km. area, instead of building water tanks on hills will have a larger impact on environment due to huge power consumption.

6. Ministry of Environment, Forests & Climate Change vide its Order dated 30.9.2022 has granted its permission for Diversion of 0.7031 Ha. Reserved Forest land in favour of Water Supply Department, PMC for construction of three ground water reservoirs having capacity of 13 ML, 2 ML and 3.5 ML to supply drinking water to Shivajinagar Area, Pune.
7. It is submitted that the Hon'ble Supreme Court of India in its order dated 28/03/2018 in WP (Civil) No. 202 of 1995 T.N. Godvarman Thirumulpad vs Union of India & Ors. has exempted certain activities like Municipal Water Supply Projects, drinking water supply schemes in Forest lands.

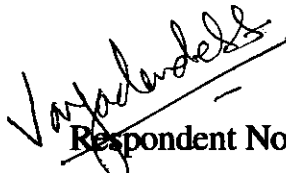


8. It is submitted that the issue in the Present OA has already been considered by this Hon'ble Tribunal in OA No. 46/2020 Dr. Sushma Date & Ors. VS. Pune Municipal Corporation & Ors. wherein construction of water tanks on Gut No. 262, Fergusson College Hills was in question. The Hon'ble Tribunal has held that *"it cannot be said that the construction of water tanks/allied activities on the lands in Law College Hill and Fergusson College Hill on the part of the 1<sup>st</sup> Respondent cannot be faulted"*.

9. It is therefore submitted that considering the increase in the population and water requirement up to the year 2047 in the city of Pune this project is very essential in the public interest and moreover all requisite permissions are obtained for the project and PMC shall be abiding by the conditions imposed by MOEFCC. In view of the above this Hon'ble Tribunal may please dismiss this OA.Pune

Date: 16.2.2024

  
Adv. For Respondent No. 1

  
Respondent No. 1

Shrikant S. Waydande  
अधिक्षक अभियंता  
पाणी पुरवठा प्रकल्प  
पुणे महानगरपालिका

**VERIFICATION**

I, Shrikant Sudam Waydande, Superintendent Engineer,  
Water Supply Projects Division, Pune Municipal Corporation, Pune,  
Age 56 Years, Office at: Shivajinagar, Pune – 411005, the  
authorized signatory for Respondent No. 1 PMC do hereby state on  
solemn affirmation that what is stated forgoing Paras is true and  
correct to my own knowledge and belief.

Solemnly affirmed at Pune

This 16<sup>th</sup> Day of February, 2024

Explained and Interpreted by me

*Waydande S.*  
Deponent

Shrikant S. Waydande  
अधिक्षक अभियंता  
पाणी पुरवठा प्रकल्प  
पुणे महानगरपालिका

*Rgarg*  
Adv. For the Deponent

**BEFORE ME**

*[Signature]*  
ADV. PRAVIN H. GOGAWALE  
NOTARY GOVT. OF INDIA  
PUNE  
REGD. NO. 16059

NOTED AND REGISTERED  
SERIAL NUMBER 34/2024  
Date 16 FEB 2024

16 FEB 2024

