

BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH,
AT KOLKATA

O.A. No. 183/2023/EZ

IN THE MATTER OF:

VISHAL KUMAR

... APPELLANT(S)

VERSUS

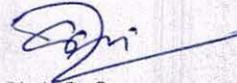
BIHAR FOUNDRY AND CASTING LTD.

...RESPONDENTS(S)

INDEX

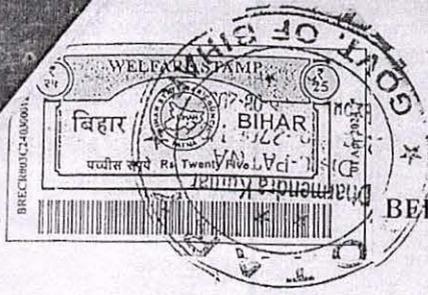
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Through:



Gigi. C. George
Advocate
Chamber No.457, Delhi High
Court
Lawyers Block, New Delhi
Email:
gigicgeorge.adv42@yahoo.in
M-9810625315





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BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH,
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O.A. No. 183/2023/EZ

IN THE MATTER OF:

VISHAL KUMAR

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VERSUS

BIHAR FOUNDRY AND CASTING LTD. & ORS.

... RESPONDENTS(S)

COUNTER AFFIDAVIT/REPLY FOR AND ON BEHALF OF THE
RESPONDENT NO. 6/CGWA

MOST RESPECTFULLY SHOWETH:

I, RAJEEV RANJAN SHUKLA Son of Late R.N. Shukla aged about 51 Years Presently working as Regional Director in Central Ground Water Board, MER, Patna do hereby solemnly affirm and declare as under:-

1. That I am well conversant with the facts and circumstances of the case, and as such, I am duly authorized and competent to swear this affidavit on behalf of CGWA.
2. That I have read and understood the original appeal and have been advised to traverse by way of this Counter Affidavit as reply thereto.
3. That have and except those which are matter of record and those which are specifically admitted hereto the contents of the OA that have not been specifically



Rajeev Ranjan Shukla

admitted hereunder or are a matter of record be deemed denied.

- 4. That the deponent craves liberty to raise additional submission or file supplementary affidavits in case need arises during the course of arguments.

PARA-WISE REPLY

- 1. That the averments made under Paras 1 to 5 are matter of record and hence, do not warrant any reply from this answering respondent in the present Original Application. Hence, need no comments from this answering Respondent No.6.
- 2. That with regards to the paras 6 to 36 of the original application, it does not pertain to answering respondent hence, does not warrant any reply.
- 3. That the averments made under Para 37 and 38 of the Original Application are denied as wrong, false and devoid of any merit save for what are matters of record. It is humbly submitted that M/S Bihar Foundry And Casting Limited had applied for NOC to Abstract Ground Water through online vide Application No. 21-590/JH/IND/2019 dated 01.10.2019 with all required mandatory documents.

A copy of the Online Application bearing application no. 21-



Rajeev Rajan Shukla

4/590/JH/IND/2019 with all requisite documents are annexed as Annexure R-1 (Colly).

- That after scrutiny of the application with all annexures applied by Project proponent, by the competent authority and after satisfaction of the same a NOC for Ground Water Abstraction issued on behalf of M/S Bihar Foundry And Casting Limited Vide NOC No. CGWA/NOC/IND/ ORIG/2021 /10628 dated 02.02.2021 for 35 m3/day (12775.00 m3/year) having validity from 02.01.2021 to 01/01/2024 was granted. **A copy of the No Objection Certificate (NOC) no. CGWA/NOC/IND/ORIG/ 2021/10628 dated 02/02/2021 is annexed herewith as Annexure- R-2.** Project Proponent deposited abstraction charges of Rs. 76550/- for the period from 24.09.2020 during the period of processing of the application. New Guidelines of Ministry of Jal Shakti , Govt. of India came in to force on 24.09.2020.

Subsequently the firm submitted the first Renewal Application vide Application No. 21-4/590/JH/IND/2023 dated 02.09.2023 with all required mandatory documents. **A copy of the renewal Online Application bearing application no. 21-4/590/JH/IND/2023 with all requisite documents are**

annexed as Annexure R-3(Colly).



Rajeev Rajan Shukla

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That after scrutiny of the renewal application with all annexure applied by Project proponent, by the competent authority and after satisfaction of the same a NOC for Ground Water Abstraction issued to M/s. Bihar Foundry And Casting Limited Vide NOC No. CGWA/NOC/IND/REN/1/2023/8413 dated 18.10.2023 for 35 m³/day (12775.00 m³/year) having validity from 02.01.2024 to 01/01/2027. **A copy of the No Objection Certificate (NOC) No.CGWA/NOC/IND/REN/1/2023/8413 dated 18/10/2023 is annexed as Annexure-R-4.**

In order to know that the project proponent is complying with the terms and conditions of NOC, digital flow meter has to be installed. Apart from that CGWB has conducted inspections in the premises of the Project Proponent on 06.03.24 for monitoring the compliance of the NOC and found that they are complying terms and conditions of NOC.

4. That the averments made under Paras 39 to 50 of the original application, it does not pertain to answering Respondent. Hence, need no comments from this answering Respondent No.6.



Rajeev Ranjan Shukla

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PRAYER

In view of what has been stated herein before, it is respectfully submitted that the application may kindly be disposed with orders/ directions as deemed fit and proper in the facts and circumstances of this case and respondent shall abide by any order or direction, passed by the Hon'ble Tribunal.

Rajeev Ranjan Shukla
Who is identified by Sri.....
Advocate Solemnly affirmed and
declared before me
9.4.24
Dharmendra Kumar
Notary Public (Patna)

Identify the Deponent Signature/L...
who has signed in my presence
9.4.24
D.V.C.

Rajeev Ranjan Shukla
DEPONENT
Regional Director
Central Ground Water Board
Mid Eastern Region
PATNA

VERIFICATION:

Verified at Patna, on this the 09 day of April, 2024 that the contents of the above Affidavit are true and correct to my knowledge. No part of it is false and nothing material has been concealed there from.



Identify the Deponent Signature/L...
who has signed in my presence
9.4.24
D.V.C.

Rajeev Ranjan Shukla
DEPONENT
Regional Director
Central Ground Water Board
Mid Eastern Region
PATNA

Annexure-R1

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Government of India
Ministry of Jal Shakti
Department of Water Resources, River Development and Ganga Rejuvenation
Central Ground Water Authority (CGWA)



Application for Issue of NOC to Abstract Ground Water (NOCAP)

Welcome : bfc1001

Previous Login Date Time: 21/10/2022 11:01:00 AM , IP Address: 223.230.162.149

Logout

- Applicant Home
- Apply
- Feedback
- Change Password
- Profile
- Submitted Grievance
- Payment

Self Compliance								
1	Name of Applicant / Project	BFCL- GAUTAM FERRO ALLOYS	2					
			Application Code 41798					
3	Application Number	21-4/590/JH/IND/2019	4					
			Applied For Fresh					
5	Type Of Project	Industrial						
6	(i) NOC Details							
	(a) NOC No	CGWA/NOC/IND/ORIG/2021						
	(b) Validity							
		From: 02/01/2021	To: 01/01/2024					
	(c) Groundwater quantum (m3/d):							
		(i) Abstraction: 35.00	(ii) Dewatering:					
	(d) Groundwater quantum (m3/y):							
		(i) Abstraction: 12775.00	(ii) Dewatering:					
	(ii) Copy of NOC attached:							
		<table border="1"> <thead> <tr> <th>Sr.No.</th> <th>File Name</th> <th>View File</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>NOC.pdf</td> <td>View</td> </tr> </tbody> </table>	Sr.No.	File Name	View File	1	NOC.pdf	View
Sr.No.	File Name	View File						
1	NOC.pdf	View						
7	Inspection details (Earlier)							
	(a). Name of agency:	--Select--	(b) Date of Inspection:					
	(c). Copy of site inspection report	--Select--						
		<table border="1"> <thead> <tr> <th>Sr.No.</th> <th>File Name</th> <th>View File</th> </tr> </thead> <tbody> <tr> <td colspan="3">No Records exist.</td> </tr> </tbody> </table>	Sr.No.	File Name	View File	No Records exist.		
Sr.No.	File Name	View File						
No Records exist.								
	Self-Compliance of NOC Conditions:							

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(i) Present withdrawal of Ground Water		Yes		Self Compliance							
		As per NOC									
(a). Abstraction	35.00 (m ³ /day)	35.00 (m ³ /day)	12775.00 (m ³ /year)	12775.00 (m ³ /year)							
(b). Dewatering	0.00 (m ³ /day)	0.00 (m ³ /day)	0.00 (m ³ /year)	0.00 (m ³ /year)							
(c). Any variation in withdrawal (to be reported):	Select	(m ³ /day)	(m ³ /year)	(d). Abstraction Data submitted for all the TUBEWELL as per NOC:	Yes						
(ii) Number of abstraction/dewatering structures											
		(As per NOC)		(Self Compliance)							
Existing	2			Existing	2						
Proposed	1			Proposed	1						
Number of functional abstraction structures	2	Geotagged photograph of withdrawal structures		Yes	<table border="1"> <thead> <tr> <th>Sr.No.</th> <th>File Name</th> <th>View File</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>FLOMETER PHOTOS.pdf</td> <td>View</td> </tr> </tbody> </table>	Sr.No.	File Name	View File	1	FLOMETER PHOTOS.pdf	View
Sr.No.	File Name	View File									
1	FLOMETER PHOTOS.pdf	View									
(iii) Water meter details: (no content)											
All the abstraction structure fitted with water meter		Yes		Type of meter	Mechanical						
Telemetry Installed	No	Telemetry Detail:		Number of functional meter	2						
		No Records exist.									
Annual calibration of water meter by Govt agencies	Yes	Attatch Certificate		<table border="1"> <thead> <tr> <th>Sr.No.</th> <th>File Name</th> <th>View File</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>ANNEXURE-1 WATER FLOW METER CALIBRATION REPORTS.pdf</td> <td>View</td> </tr> </tbody> </table>		Sr.No.	File Name	View File	1	ANNEXURE-1 WATER FLOW METER CALIBRATION REPORTS.pdf	View
Sr.No.	File Name	View File									
1	ANNEXURE-1 WATER FLOW METER CALIBRATION REPORTS.pdf	View									
Geotagged Photograph of well fitted with water meter attached	Yes	<table border="1"> <thead> <tr> <th>Sr.No.</th> <th>File Name</th> <th>View File</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>FLOMETER PHOTOS.pdf</td> <td>View</td> </tr> </tbody> </table>		Sr.No.	File Name	View File	1	FLOMETER PHOTOS.pdf	View		
Sr.No.	File Name	View File									
1	FLOMETER PHOTOS.pdf	View									
(iv) Ground Water Quality											



Water samples have been analyzed in Govt. approved lab

Report submitted within stipulated time frame

Ground water Quality report attached

Yes

Sr.No.	File Name	View File
1	ANNEXURE-3 GROUND WATER REPORTS.pdf	View

Mine seepage quality report attached (in case of mining projects):

No

Sr.No. File Name View File
No Records exist.

(v) Details of Artificial recharge measures /Rain water harvesting implemented (For NOC issued before 24/09/2020)

Type of structures

- Pond with recharge shaft
- Recharge pond
- Roof top rain water harvesting structure

No of structures

1

Within premises/outside premises

Yes

Quantum of recharge measures implemented by the applicant(cum/annum):

7691.00

Geotagged photograph of recharge structures

Yes

Sr.No.	File Name	View File
1	RAIN WATER PHOTOS WITH PLAN.pdf	View

(vi) Groundwater monitoring details:

	As Per NOC	Self Compliance
No. of piezometer (observation well) installed:	1	0
No. of piezometer with DIGITAL WATER LEVEL RECORDER:	0	0
Piezometer with DIGITAL WATER LEVEL RECORDER & Telemetry	0	0

Number of functional Piezometer/Observational well:

0

Geotagged photograph of Piezometers/observation well/key well fitted with DIGITAL WATER LEVEL RECORDER/Telemetry

Yes

Sr.No.	File Name	View File
1	PIEZOMETER TELEMETRY PHOTOS -.pdf	View

Monitoring data submitted as per NOC

Yes

Piezometer with DIGITAL WATER LEVEL

-----Select-----

Ground Water Monitoring data

Yes

Sr.No. File Name View File

RECORDER & Telemetry

(vii) Details of treated wastewater (Recycle/Reuse):

SEWAGE TREATMENT PLANT/EFFLUENT TREATMENT PLANT installed:	No	No. of SEWAGE TREATMENT PLANT/EFFLUENT TREATMENT PLANT installed:
Capacity of SEWAGE TREATMENT PLANT/EFFLUENT TREATMENT PLANT:		Quantum of treated waste water generated (cum/y):

Geotagged photograph of EFFLUENT TREATMENT PLANT/SEWAGE TREATMENT PLANT:	---Select---	<table border="1"> <thead> <tr> <th>Sr.No.</th> <th>File Name</th> <th>View File</th> </tr> </thead> <tbody> <tr> <td colspan="3">No Records exist.</td> </tr> </tbody> </table>	Sr.No.	File Name	View File	No Records exist.		
	Sr.No.	File Name	View File					
No Records exist.								

Quantum of treated water used (cum/y):

Industrial process:	Greenbelt:
Other uses:	

(viii) Submission of Self Compliance report online within stipulated time frame: Yes

(ix) Details of Water Audit Inspection (if applicable): No

Water Audit inspection	---Select---	Water Audit inspection carried out as per NOC	---Select---
Name of agency by which water audit carried out		Date of inspection	

Water audit report attached	---Select---	<table border="1"> <thead> <tr> <th>Sr.No.</th> <th>File Name</th> <th>View File</th> </tr> </thead> <tbody> <tr> <td colspan="3">No Records exist.</td> </tr> </tbody> </table>	Sr.No.	File Name	View File	No Records exist.		
	Sr.No.	File Name	View File					
No Records exist.								

(x) Impact assessment report/Comprehensive Hydro geological Report /Modeling report (if applicable): No

Requirement	---Select---	Submitted as per NOC	---Select---
-------------	--------------	----------------------	--------------

11

requirement

Copy of IMPACT ASSESSMENT REPORT/modeling report/Hydrogeological report attached:		Sr.No.		File Name		View File	
		No Records exist.					
(xi)	Any Violation of NOC conditions to be reported (If any):	No	▼				
(xii)	Any other compliances as per NOC condition (If any):	No	▼				
(xiii)	Extra Attachment	Sr.No.	File Name	View File	(xiv)	Remarks	NA
		No Records exist.					



Annexure R2

भारत सरकार
जल शक्ति मंत्रालय
जल संसाधन, नदी विकास
और गंगा संरक्षण विभाग
केन्द्रीय भूमि जल प्राधिकरण
Government of India
Ministry of Jal Shakti
Department of Water Resources,
River Development & Ganga Rejuvenation
Central Ground Water Authority

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(भूजल निकासी हेतु अनापत्ति प्रमाण पत्र)

NO OBJECTION CERTIFICATE (NOC) FOR GROUND WATER ABSTRACTION

Project Name:	Bfcl- Gautam Ferro Alloys		
Project Address:	Plot1405 (p), Marar Industrial Area, Ps Ramgarh		
Town:	Mandu (ct)	Block:	Mandu
District:	Ramgarh	State:	Jharkhand
Pin Code:			
Communication Address:	Managing Director, M/s Bihar Foundry And Castings Ltd, Main Road, Ranchi-834001, Namkum, Ranchi, Jharkhand - 834001		
Address of CGWB Regional Office :	Central Ground Water Board Mid Eastern Region, 6th & 7th Floor, Lok Nayak Jai Prakash Bhawan, Frazer Road Dak Banglow, Patna, Bihar - 800011		

1. NOC No.:	CGWA/NOC/IND/ORIG/2021/10628											
2. Application No.:	21-4/590/JH/IND/2019	3. Category:	Semi Critical									
		(GWRE 2017)										
4. Project Status:	Existing Project	5. NOC Type:	New									
6. Valid from:	02/01/2021	7. Valid up to:	01/01/2024									
8. Ground Water Abstraction Permitted:												
	Fresh Water	Saline Water	Dewatering	Total								
	m ³ /day	m ³ /year	m ³ /day	m ³ /year	m ³ /day	m ³ /year	m ³ /day	m ³ /year				
	35.00	12775.00										
9. Details of ground water abstraction /Dewatering structures												
	Total Existing No.:2						Total Proposed No.:1					
	DW	DCB	BW	TW	MP	MPu	DW	DCB	BW	TW	MP	MPu
Abstraction Structure*	0	0	2	0	0	0	0	0	1	0	0	0
*DW- Dug Well; DCB-Dug-cum-Bore Well; BW-Bore Well; TW-Tube Well; MP-Mine Pit;MPu-Mine Pumps												
10. Ground Water Abstraction/Restoration Charges paid (Rs.):												76650.00
11. Number of Piezometers(Observation wells) to be constructed/ monitored & Monitoring mechanism.							No. of Piezometers					Monitoring Mechanism
								Manual	DWLR**			DWLR With Telemetry
**DWLR - Digital Water Level Recorder							1	1	0			0

(Compliance Conditions given overleaf)

This is an auto generated document & need not to be signed.

18/11, जामनगर हाउस, मानसिंह रोड, नई दिल्ली - 110011 / 18/11, Jamnagar House, Mansingh Road, New Delhi-110011

Phone: (011) 23383561 Fax: 23382051, 23386743

Website: cgwa-noc.gov.in

पानी बचाये - जीवन बचाये
SAVE WATER - SAVE LIFE

Validity of this NOC shall be subject to compliance of the following conditions:

Mandatory conditions:

- 1) Installation of digital water flow meter (conforming to BIS/ IS standards) having telemetry system in the abstraction structure(s) shall be mandatory for all users seeking No Objection Certificate and intimation regarding their installation shall be communicated to the CGWA within 30 days of grant of No Objection Certificate through the web-portal.
- 2) Proponents shall mandatorily get water flow meter calibrated from an authorized agency once in a year.
- 3) Construction of purpose-built observation wells (piezometers) for ground water level monitoring shall be mandatory as per Section 14 of Guidelines . Water level data shall be made available to CGWA through web portal. Detailed guidelines for construction of piezometers are given in Annexure-II.
- 4) Proponents shall monitor quality of ground water from the abstraction structure(s) once in a year. Water samples from bore wells/ tube wells / dug wells shall be collected during April/May every year and analysed in NABL accredited laboratories for basic parameters (cations and anions), heavy metals, pesticides/ organic compounds etc. Water quality data shall be made available to CGWA through the web portal.
- 5) In case of mining projects, additional key wells shall be established in consultation with the Regional Director, CGWB for ground water level monitoring four (4) times a year (January, May, August and November) in core as well as buffer zones of the mine.
- 6) In case of mining project the firm shall submit water quality report of mine discharge/ seepage from Govt. approved/ NABL accredited lab.
- 7) The firm shall report compliance of the NOC conditions online in the website (www.cgwa-noc.gov.in) within one year from the date of issue of this NOC.
- 8) The firm shall submit the water audit report in case of water requirement is in excess of 100 m3/day through certified auditors within three months of completion of the same to CGWA.
- 9) Application for renewal can be submitted online from 90 days before the expiry of NOC. Ground water withdrawal, if any, after expiry of NOC shall be illegal & liable for legal action as per provisions of Environment (Protection) Act, 1986.
- 10) This NOC is subject to prevailing Central/State Government rules/laws/norms or Court orders related to construction of tube well/ground water abstraction structure / recharge or conservation structure/discharge of effluents or any such matter as applicable.

General conditions:

- 11) No additional ground water abstraction and/or de-watering structures shall be constructed for this purpose without prior approval of the Central Ground Water Authority (CGWA).
- 12) The proponent shall seek prior permission from CGWA for any increase in quantum of groundwater abstraction (more than that permitted in NOC for specific period).
- 13) Proponents shall install roof top rain water harvesting in the premise as per the existing building bye laws in the premise.
- 14) The project proponent shall take all necessary measures to prevent contamination of ground water in the premises failing which the firm shall be responsible for any consequences arising thereupon.
- 15) In case of industries that are likely to contaminate the ground water, no recharge measures shall be taken up by the firm inside the plant premises. The runoff generated from the rooftop shall be stored and put to beneficial use by the firm.
- 16) Wherever feasible, requirement of water for greenbelt (horticulture) shall be met from recycled / treated waste water.
- 17) Wherever the NOC is for abstraction of saline water and the existing wells (s) is /are yielding fresh water, the same shall be sealed and new tubewell(s) tapping saline water zone shall be constructed within 3 months of the issuance of NOC. The firm shall also ensure safe disposal of saline residue, if any.
- 18) Unexpected variations in inflow of ground water into the mine pit, if any, shall be reported to the concerned Regional Director, Central Ground Water Board.
- 19) In case of violation of any NOC conditions, the applicant shall be liable to pay the penalties as per Section 16 of Guidelines.
- 20) This NOC does not absolve the proponents of their obligation / requirement to obtain other statutory and administrative clearances from appropriate authorities.
- 21) The issue of this NOC does not imply that other statutory / administrative clearances shall be granted to the project by the concerned authorities. Such authorities would consider the project on merits and take decisions independently of the NOC.
- 22) In case of change of ownership, new owner of the industry will have to apply for incorporation of necessary changes in the No Objection Certificate with documentary proof within 60 days of taking over possession of the premises.
- 23) This NOC is being issued without any prejudice to the directions of the Hon'ble NGT/court orders in cases related to ground water or any other related matters.

(Non-compliance of the conditions mentioned above is likely to result in the cancellation of NOC and legal action against the proponent.)

Annexure R3

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Government of India
Ministry of Jal Shakti
Department of Water Resources, River Development and Ganga Rejuvenation
Central Ground Water Authority (CGWA)



Application for Issue of NOC to Abstract Ground Water (NOCAP)

Welcome: EOMidEastR
Previous Login Date Time: 14/03/2024 21:31:50 PM , IP Address: 43.224.3.217

[Logout](#)

Application for Permission to Abstract Ground Water for Industrial Use								
Application Number :	1st Renewal (Approved)	Final Evaluation	NOC Letter	Self Compliance	Self Inspection	Piezometer/Telemetry Detail	Payment Details	Additional Attachment
Application Code :	41798							
Investor Request ID :								
PAN Number :								
GST Number :								
Please ensure that the project is MSME and the application iss for groundwater extraction upto 100 LKD :	NotDefined							
1. General Information:								
Water Quality: *	Fresh Water							
Application Type Category/ Type of Application: *	Foundary Operation							
(i) Name of Industry: *	M/S BIHAR FOUNDRY AND CASTINGS LIMITED Ferro Alloys Unit							
Is Renew Applied: *	Yes							
Is Renewd: *	Yes							
(ii) Location Details of the Industrial Unit- (Attach Approved Site Plan with Location Map) (\$) *								
Address Line 1: *	PLOT1405 (P)							
Address Line 2:	MARAR INDUSTRIAL AREA							
Address Line 3:	PS RAMGARH							

State: *	JHARKHAND	
District: *	RAMGARH	
Sub-District: *	MANDU	
Village/Town: *	Mandu (CT)	
Latitude *	23.657965	
Longitude *	85.506128	Show Latitude & Longitude
Area Type: *	Non-Notified	
Area Type Category: *	Semi Critical	
Whether industry is MSME: *	Not Define	
Whether the project falls in Wetland Area: *	Not Define	
(iii) Communication Address		
Address Line 1: *	MANAGING DIRECTOR	
Address Line 2:	M/S BIHAR FOUNDRY AND CASTINGS LTD	
Address Line 3:	MAIN ROAD, RANCHI-834001	
State: *	JHARKHAND	
District: *	RANCHI	
Sub-District:	NAMKUM	
Pincode: *	834001	
Phone Number with Area Code:		
Mobile Number: *	91-7004614975	
Fax Number:		
E-Mail: *	bfcgfanoc@gmail.com	
(iv) Salient Features of the Industrial Activity: *		
Ferro Alloys Silico/ Manganese		

(v) Land Use Details of the Existing / Proposed Industrial Unit Premises Ownership of the Land :

Land Use Details	Existing (sq meter)	Proposed (sq meter)	Grand Total (sq meter)
Green Belt Area	10121.00	0.00	10121.00
Open Land	5411.00	0.00	5411.00
Road/ Paved Area	257.10	0.00	257.10
Rooftop area of building/ sheds	23682.09		23682.09
Total	39471.19	0.00	39471.19

(vi) Drainage in the Area (River/ Nala etc) :*	Damodar River. Perennial in nature
(vii) Source of Availability of Surface Water for Industrial Use (Submit Water Availability / Non Availability Certificate): * (\$)	Not available
(viii) Average Annual Rainfall in the Area (in mm): *	1251.00
(ix) Townships / Villages (Within 2km Radius of the Industrial Unit): *	Mandu, Marar, Ramgarh
(x) Whether Ground Water Utilization for: * Date of Commencement : Date of Expansion :	Existing Industry 31/10/2011
(xi) Whether Ground Water Utilization for: *	<input type="checkbox"/> Drinking and Domestic Use <input type="checkbox"/> Construction Activity Use <input type="checkbox"/> Commercial Use <input type="checkbox"/> Dewatering Use

2.Details of Water Requirement (Fresh and Recycled Water Usage):

(Please Enclose Water Flow Chart of Activities and Requirement of Water at each Stage) (\$)

(i) Total Water Requirement (a+b+c+d) (m ³ /day)			
	Existing	Proposed	Total
Water Requirement Details (Fresh Water) (m³/day)			
a) Ground Water Requirement (m ³ /day): *	35.00	0.00	35.00
b). Surface Water Available (Canal, River, Ponds etc.) (m ³ /day): *	0.00	0.00	0.00

c). Water Supply from Any Agency (m ³ /day):	0.00	0.00	0.00
Total Fresh Water Requirement : (a+b+c) (m³/day)	35.00	0.00	35.00
d). Recycled Water Usage (m ³ /day):	5.00	0.00	5.00
Total Water Requirement (a+b+c+d) (m³/day):	40.00	0.00	40.00

(ii) Breakup of Water Requirement and Usage:

Activity	Existing Requirement (m3/day)	Proposed Requirement (m3/day)	Total Requirement (m3/day)	No. of Operational Days in a Year	Annual Requirement (m3/year)
Industrial Activity	34.00	0.00	34.00	365	12410.00
Residential / Domestic	1.00	0.00	1.00	365	365.00
Greenbelt Development /Environment Maintenance	5.00	0.00	5.00	365	1825.00
Other Use	0.00	0.00	0.00	0	0.00
Grand Total	40.00	0.00	40.00		14600.00

(iii) Breakup of Recycled Water Usage:

	(m ³ /day)	(Days)	(m ³ /year)
a) Total Waste Water Generated :	6.00	365	2190
b). Quantity of Treated Water Available :	5.00		
i). Reuse in Industrial Activity :	0.00	365	0.00
ii) Reuse in Greenbelt Development :	5.00	365	1825.00
iii) Other Uses :	0.00	0	0.00
c). Total Treated Water Utilised :	5.00		1825.00
Net Ground Water Requirement:	35.00 (m³/day)		

3 (a). Groundwater Abstraction Structure- Existing

Number of Existing Structures: * 2

SNo.	Type of Structure	Year of Construction	Depth (Meter)	Diameter (mm)	Depth to Water Level (Meters below Ground)	Discharge (m3/Hour)	Operational Hours/Day	Operational Days/Year	Mode of Lift Name	Horse Power of	Whether fitted with Water	Whether Permission/ Registered with CGWA	If so Details Thereof

Name		Level)					Pump	Meter				
1	Borewell	2012	160.00	150	17.51	3.18	4	365	Submersible Pump	1.50	Yes	No
2	Borewell	2013	160.00	150	17.63	3.08	4	65	Submersible Pump	1.50	Yes	No

3 (b). Groundwater Abstraction Structure- Proposed

Number of Proposed Structures: * 1

SNo.	Type of Structure Name	Year of Construction	Depth (Meter)	Diameter (mm)	Depth to Water Level (Meters below Ground Level)	Discharge (m3/Hour)	Operational Hours/Day	Operational Days/Year	Mode of Lift Name	Horse Power of Pump	Whether fitted with Water Meter	Whether Permission/ Registered with CGWA	If so Details Thereof
1	Borewell	2020	260.00	175	18.58	3.55	4	365	Submersible Pump	1.50	Yes	No	

4. Groundwater Availability (Please Enclose a Comprehensive Report on Groundwater Condition in and Around the Area) Applicable to Industries Consuming Greater Than 500 m³/day.- (\$)

Details:

GW Requirement 35 KLD, as per guideline of CGWA, report required for withdrawal above 500 KLD

5. Details of Rainwater Harvesting and Artificial Recharge Measures Proposed / Implemented. If Ground Water Recharge outside the

Industrial Unit Premises, then provide NOC from the Concerned Authority / Agency if Already implemented, details may be furnished. (Attach Rainwater Harvesting /Artificial Recharge Proposal).- (\$)

Details:

RWH Report Attached

6. Consent to Operate / Estilish / Approval Letter from Statutory Bodies viz Ministry of Environment & Forests(MoEF) or State Pollution Control Board(SPCB) or State Level Expert Appraisal Committee(SEAC) or State Level Environment Impact Assessment Authority(SLEIAA):-" (\$)

Letter Number: B 42

a). Attached Consent/ Approval of Government Agency(Previous: Referral Letter)

State Pollution Control Board	Sr.No.	Attachment Name	File Name	Download File	View File
	1	CTO	BFCL-GFA-CTO.PDF	Download	View

7. Have You Applied Earlier for Groundwater Clearance from CGWA / State Government Agency:

If Yes, so Details thereof with Status:

Processing Fee:

Bharat Kosh Transaction Ref. No:

3009190005784

Bharat Kosh Transaction Date:

30/09/2019

INDUSTRIAL USE- Self Declaration

I hereby certify that the data and information furnished above are true to the best of my knowledge and belief and I am aware that if any part of the data / information submitted is found to be false or misleading at any stage, the application will be rejected outright.

I hereby declare that all the mandatory documents prescribed in the application form have been uploaded and no blank /irrelevant documents have been uploaded. I am also aware that any false/ wrong submission /uploading of document will lead to rejection of my application without any notice.

It is to certify that no case related to ground water withdrawal/ contamination is pending against the industry/ project/ unit as on date. Any such case filed against the company/ project/ unit in respect of ground water withdrawal/ contamination during the pendency of this application shall be immediately brought to the notice of CGWA.

I hereby undertake that in case any environmental compensation/ penalty is imposed on the firm by any statutory authority, I shall comply with the decision of such authority.

1. Application proforma is subject to modification from time to time.

2. Application should be submitted to

Regional Director Central Ground Water Board Mid Eastern Region,

6th & 7th Floor,

Lok Nayak Jai Prakash Bhawan,

Frazer Road Dak Banglow,

PATNA, BIHAR - 800011

3. Incomplete application will be summarily rejected.

4. Processing Fee:

Rs. 1000.00/- (Rupees One Thousand Only)

Filled By EO:

Processing Fee Submitted :

Yes

Bharatkosh Details:

Bharat Kosh Transaction Ref. No:-

3009190005784

5. Hard copy of application required:

Yes

6. Ground Water Charges / Quality

Ground Water Quality Approved

Fresh Water

Ground Water Charge Required:

Yes

Ground Water Charge Recieve:

Yes (Ground water abstraction charges)

Ground Water Charge Amount:

76650.00

Ground Water Arrear Amount:

Ground Water Charge Type:

Fresh Water Saline/ Brackish Saline-Rann of Kachch

Ground Water Charge

SN	Amount	Recieved	Due Date	Recieved Amount
1	76650.00	Yes	02/02/2022	0.00

Ground Water Arrear

SN	Amount	Recieved	Due Date	Recieved Amount
No Record Exists.				

(7) Environment Compensation Required:

No

SN	Date From	Date To	Daily Quantum (m3/day)(KLD)	Operational Days	Total Quantum	Area Type Category	Reason Name	Rate	Amount	Remark
No Record Exists.										

(8) Penalty for non Compliance of NOC conditions Required:

Yes

Penalty SN	Remark	PenaltyReceived	Penalty Amount	Correction Amount
1	Lost User ID by The Firm	No	0.00	5000.00

Submitted Application will not be Processed till it the Print Out of the Signed Complete Application is Submitted to Regional Office.

Attached Files

21

A). Affidavit regarding Non-availability of water supply from local government agencies

No Attachment Found !

B). Source Water Availability/Non-availability Certificate(Previous: Source of Availability of Surface Water) : (Refer: 1 (vii))

Sr.No.	Attachment Name	File Name	Download File	View File
1	Letter of Non Supply	BFCL Water Supply.pdf	Download	View

C). Ground Water Quality Report(Previous: Non-Polluting Effluent) :

Sr.No.	Attachment Name	File Name	Download File	View File
1	GW Quality Report	BFCL GFA Water Quality Report.pdf	Download	View

D). Rain Water Harvesting/Artificial Recharge proposal(Previous: Details of Rainwater Harvesting / Artificial Recharge Measures) : (Refer: 5)

Sr.No.	Attachment Name	File Name	Download File	View File
1	BFCL GFA RWH Proposal	BFCL GFA RWH Proposal.pdf	Download	View

E). Impact AssesmentReport for OCS areas by accredited consultants

No Attachment Found !

F). Consent to Establish in case of Over Exploited Category

No Attachment Found !

G). MSME certificate in case of MSME

No Attachment Found !

H). Affidavit in case of drinking/domestic/green belt (OE areas) for industries other than MSME

No Attachment Found !

I). Approval from Wetland Authority (in case of project area falling in Wetland zone)

No Attachment Found !

J). Bharat Kosh Reciept (Processing Fee) :

Sr.No.	Attachment Name	File Name	Download File	View File
1	Bharat Kosh Payment Receipt	BFCL GFA BK Receipt.pdf	Download	View

K). Bharatkosh reciept/Copy of Demand Draft (Abstraction Charges)

No Attachment Found !

L). Bharatkosh reciept/Copy of Demand Draft (Restoration Charges)

No Attachment Found !

M). Application with Signature and Seal:

No Attachment Found !

N). Site Plan with Location Map (Previous: Site Plan) : (Refer: 1 (ii))

No Attachment Found !

O). Certified Revenue Sketch : (Refer: 1 (ii))

No Attachment Found !

P). Documents of Ownership / Lease : (Refer: 1 (v)) No Attachment Found !

Q). Water Balance Flow Chart (Previous: Enclose Flow Chart of Activity and Requirement of Water): (Refer: 2)

No Attachment Found !

R). Hydrogeological Report(Previous: Groundwater Availability Report) : (Refer: 4)

Sr.No.	Attachment Name	File Name	Download File	View File
1	BFCL GFA GWR STMT	BFCL GFA GW Report Stmt.pdf	Download	View

S). Authorization Letter (Previous:Authorization):

Sr.No.	Attachment Name	File Name	Download File	View File
1	Letter of Authorization	BFCL Board Resolution.pdf	Download	View

T). Extra Attachment :

Sr.No.	Attachment Name	File Name	Download File	View File
1	Environmental Clearance of BFCL GFA	BFCL GFA EC.PDF	Download	View

U). Scanned Industrial Application :

No Attachment Found !

V). Penalty :

No Attachment Found !

V). Additional Documents :

Sr.No.	Attachment Name	File Name	Submitted On	Submitted By	View File
1	Request letter for new User ID	request letter (3).pdf	31/01/2022		View
2	Transaction receipt of rs 5000 for new user ID	TransactionReceipt (8).pdf	31/01/2022		View
3	PAN no. for new user ID	BFCL PAN.pdf	31/01/2022		View
4	Existing NOC	NOC.pdf	31/01/2022		View

3/15/24, 3:01 AM

NOCAPIN

23

Application Submitted By:	bfclgfa
Application Submitted On:	01/10/2019
Application Created On:	30/09/2019
Associated User:	bfcl001



Annexure-R4

24

भारत सरकार
जल शक्ति मंत्रालय
जल संसाधन, नदी विकास
और गंगा संरक्षण विभाग
केन्द्रीय भूमि जल प्राधिकरण
Government of India
Ministry of Jal Shakti
Department of Water Resources,
River Development & Ganga Rejuvenation
Central Ground Water Authority

(भूजल निकासी हेतु अनापत्ति प्रमाण पत्र)

NO OBJECTION CERTIFICATE (NOC) FOR GROUND WATER ABSTRACTION

Project Name:	M/s Bihar Foundry And Castings Limited Ferro Alloys Unit		
Project Address:	Plot1405 (p), Marar Industrial Area, Ps Ramgarh		
Town:	Mandu (ct)	Block:	Mandu
District:	Ramgarh	State:	Jharkhand
Pin Code:			
Communication Address:	Managing Director, M/s Bihar Foundry And Castings Ltd, Main Road, Ranchi-834001, Namkum, Ranchi, Jharkhand - 834001		
Address of CGWB Regional Office :	Central Ground Water Board Mid Eastern Region, 6th & 7th Floor, Lok Nayak Jai Prakash Bhawan, Frazer Road Dak Banglow, Patna, Bihar - 800011		

1. NOC No.:	CGWA/NOC/IND/REN/1/2023/8413	2. Date of Issuance	18/10/2023
3. Application No.:	21-4/590/JH/IND/2019	4. Category: (GWRE 2022)	Safe
5. Project Status:	Existing Ground Water	6. NOC Type:	Renewal
7. Valid from:	02/01/2024	8. Valid up to:	01/01/2027
9. Ground Water Abstraction Permitted:			

Fresh Water		Saline Water		Dewatering		Total	
m ³ /day	m ³ /year						
35.00	12775.00						

10. Details of ground water abstraction /Dewatering structures

Abstraction Structure*	Total Existing No.:						Total Proposed No.:					
	DW	DCB	BW	TW	MP	MPu	DW	DCB	BW	TW	MP	MPu
	0	0	2	0	0	0	0	0	1	0	0	0

*DW- Dug Well; DCB-Dug-cum-Bore Well; BW-Bore Well; TW-Tube Well; MP-Mine Pit;MPu-Mine Pumps

11. Ground Water Abstraction/Restoration Charges paid (Rs.):	38325.00			
12. Environment Compensation (if applicable) paid (Rs.):	0.00			
13. Number of Piezometers(Observation wells) to be constructed/ monitored & Monitoring mechanism.	No. of Piezometers	Monitoring Mechanism		
	Manual	DWLR**	DWLR With Telemetry	
**DWLR - Digital Water Level Recorder	1	1	0	0

(Compliance Conditions given overleaf)

This is an auto generated document & need not to be signed.

18/11, जामनगर हाउस, मानसिंह रोड, नई दिल्ली - 110011 / 18/11, Jamnagar House, Mansingh Road, New Delhi-110011

Phone: (011) 23383561 Fax: 23382051, 23386743

Website: cgwa-noc.gov.in

पानी बचाये - जीवन बचाये
SAVE WATER - SAVE LIFE

CENTRAL GROUND WATER AUTHORITY

18/11, जामनगर हाउस, मानसिंह रोड, नई दिल्ली - 110011 / 18/11, Jamnagar House, Mansingh Road, New Delhi-110011

Phone: (011) 23383561 Fax: 23382051, 23386743

Website: egwa-noc.gov.in

पानी बचाये - जीवन बचाये
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Validity of this NOC shall be subject to compliance of the following conditions:

Mandatory conditions:

- 1) Installation of tamper proof digital water flow meter with telemetry on all the abstraction structure(s) shall be mandatory for all users seeking No Objection Certificate and intimation regarding their installation shall be communicated to the CGWA within 30 days of grant of No Objection Certificate.
- 2) Proponents shall mandatorily get water flow meter calibrated from an authorized agency once in a year.
- 3) Construction of purpose-built observation wells (piezometers) for ground water level monitoring shall be mandatory as per Section 14 of Guidelines. Water level data shall be made available to CGWA through web portal. Detailed guidelines for construction of piezometers are given in Annexure-II of the guidelines.
- 4) Proponents shall monitor quality of ground water from the abstraction structure(s) once in a year. Water samples from bore wells/ tube wells / dug wells shall be collected during April/May every year and analysed in NABL accredited laboratories for basic parameters (cations and anions), heavy metals, pesticides/ organic compounds etc. Water quality data shall be made available to CGWA through the web portal.
- 5) In case of mining projects, additional key wells shall be established in consultation with the Regional Director, CGWB for ground water level monitoring four (4) times a year (January, May, August and November) in core as well as buffer zones of the mine.
- 6) In case of mining project the firm shall submit water quality report of mine discharge/ seepage from Govt. approved/ NABL accredited lab.
- 7) The firm shall report compliance of the NOC conditions online in the website (www.cgwa-noc.gov.in) within one year from the date of issue of this NOC.
- 8) Industries abstracting ground water in excess of 100 m³/d shall undertake annual water audit through certified auditors and submit audit reports within three months of completion of the same to CGWA. All such industries shall be required to reduce their ground water use by at least 20% over the next three years through appropriate means.
- 9) Application for renewal can be submitted online from 90 days before the expiry of NOC. Ground water withdrawal, if any, after expiry of NOC shall be illegal & liable for legal action as per provisions of Environment (Protection) Act, 1986.
- 10) This NOC is subject to prevailing Central/State Government rules/laws/norms or Court orders related to construction of tube well/ground water abstraction structure / recharge or conservation structure/discharge of effluents or any such matter as applicable.

General conditions:

- 11) No additional ground water abstraction and/or de-watering structures shall be constructed for this purpose without prior approval of the Central Ground Water Authority (CGWA).
- 12) The proponent shall seek prior permission from CGWA for any increase in quantum of groundwater abstraction (more than that permitted in NOC for specific period).
- 13) Proponents shall install roof top rain water harvesting in the premise as per the existing building bye laws in the premise.
- 14) The project proponent shall take all necessary measures to prevent contamination of ground water in the premises failing which the firm shall be responsible for any consequences arising thereupon.
- 15) In case of industries that are likely to contaminate the ground water, no recharge measures shall be taken up by the firm inside the plant premises. The runoff generated from the rooftop shall be stored and put to beneficial use by the firm.
- 16) Wherever feasible, requirement of water for greenbelt (horticulture) shall be met from recycled / treated waste water.
- 17) Wherever the NOC is for abstraction of saline water and the existing wells (s) is /are yielding fresh water, the same shall be sealed and new tubewell(s) tapping saline water zone shall be constructed within 3 months of the issuance of NOC. The firm shall also ensure safe disposal of saline residue, if any.
- 18) Unexpected variations in inflow of ground water into the mine pit, if any, shall be reported to the concerned Regional Director, Central Ground Water Board.
- 19) In case of violation of any NOC conditions, the applicant shall be liable to pay the penalties as per Section 16 of Guidelines.
- 20) This NOC does not absolve the proponents of their obligation / requirement to obtain other statutory and administrative clearances from appropriate authorities.
- 21) The issue of this NOC does not imply that other statutory / administrative clearances shall be granted to the project by the concerned authorities. Such authorities would consider the project on merits and take decisions independently of the NOC.
- 22) In case of change of ownership, new owner of the industry will have to apply for incorporation of necessary changes in the No Objection Certificate with documentary proof within 60 days of taking over possession of the premises.
- 23) This NOC is being issued without any prejudice to the directions of the Hon'ble NGT/court orders in cases related to ground water or any other related matters.
- 24) Proponents, who have installed/constructed artificial recharge structures in compliance of the NOC granted to them previously and have availed rebate of upto 50% (fifty percent) in the ground water abstraction charges/ground water restoration charges, shall continue to regularly maintain artificial recharge structures.
- 25) Industries which are likely to cause ground water pollution e.g. Tanning, Slaughter Houses, Dye, Chemical/ Petrochemical, Coal washeries, pharmaceutical, other hazardous units etc. (as per CPCB list) need to undertake necessary well head protection measures to ensure prevention of ground water pollution as per Annexure III of the guidelines.
- 26) In case of new infrastructure projects having ground water abstraction of more than 20 m³/day, the firm/entity shall ensure implementation of dual water supply system in the projects.
- 27) In case of infrastructure projects, paved/parking area must be covered with interlocking/perforated tiles or other suitable measures to ensure groundwater infiltration/harvesting.
- 28) In case of coal and other base metal mining projects, the project proponent shall use the advance dewatering technology (by construction of series of dewatering abstraction structures) to avoid contamination of surface water.
- 29) The NOC issued is conditional subject to the conditions mentioned in the Public notice dated 27.01.2021 failing which penalty/EC/cancellation of NOC shall be imposed as the case may be.
- 30) This NOC is issued subject to the clearance of Expert Appraisal Committee (EAC) (if applicable).
- 31) In the self-compliance report, the PP shall submit details of Drilling Agency/ Agencies, which has/ have constructed BW(s)/ TW(s) along with undertaking to the effect that all necessary measures have been taken as per directions of Hon'ble Supreme Court provided in Annexure-VII of guidelines dated 24.09.2020 in respect of abandoned/ failed BW(s)/ TW(s)/Piezometer(s), if any. The PP is advised to engage registered drilling agency/ agencies. In the event of any mishap/ unfortunate incident due to negligence in taking measures for prevention of accident due to falling in Bore Well, both PP and concerned drilling agency shall jointly be held responsible and penal action as per extant Government rules shall be taken.

(Non-compliance of the conditions mentioned above is likely to result in the cancellation of NOC and legal action against the proponent.)

CENTRAL GROUND WATER AUTHORITY
Department of Water Resources, River Development and Ganga Rejuvenation
Ministry of Jal Shakti, Govt. of India

18/11, जामनगर हाउस, मानसिंह रोड, नई दिल्ली - 110011 / 18/11, Jamnagar House, Mansingh Road, New Delhi-110011

Phone: (011) 23383561 Fax: 23382051, 23386743

Website: cgwa-noc.gov.in

पानी बचाये - जीवन बचाये
SAVE WATER - SAVE LIFE

Receipt

(As per the guideline Gazette Notification S.O. 3281(E) regarding the New Guidelines dated 24.09.2020 of CGWA, MoJS, Govt. of India)
<https://cgwa-noc.gov.in>

Application No.:	21-4/590/JH/IND/2019	Date of Issuance:	18/10/2023
Name of Firm:	M/S BIHAR FOUNDRY AND CASTINGS LIMITED Ferro Alloys Unit		
AppType Category:	Foundary Operation		
Application Type:	Industrial		
PAN/GSTIN No. of Firm/Individual:	/		

S N	Description	Amount (Rs.)
1.	Application Processing Fee	5000.00
2.	Ground Water Abstraction /Restoration charges	38325.00
3.	Environmental Compensation Charges (ECRGW) (Date From to) Days-	
4.	Penalty for non-Compliance of NOC conditions Condition to be mentioned	
Rs. Rupees Forty Three Thousand Three Hundred Twenty Five Only		43325.00

This is an system generated invoice, hence, does not require ink signed.



28

VAKALATNAMA

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH
AT KOLKATA

OA NO. 183/2023 EZ

VISHAL KUMAR

... APPELLANT

-Versus-

BIHAR FOUNDRY AND CASTING LTD

... RESPONDENT

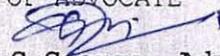
On behalf of Respondent Nos. 6/CGWB

Know all men by these presents that by Vakalatnama I/We appoint the Advocates noted below or any of them my/our lawful Advocate or Advocates for filing... COUNTER AFFIDAVIT ... in the above matter for appearing in conducting and arguing the same, for depositing or withdrawing any money in connection therewith for moving the Court in any matter connected therewith, for preparing the paper book in the case and for putting in papers petitions etc. on my/our behalf for filing taking back any documents for withdrawing suits or appeals or petitions with permission to institute fresh suits etc. For signing and filing petitions of compromise in connections with said matter and for taking copies of paper form the Record and I/We further say that any act, done by my/one said Advocate or Advocates or by any of them after accepting this Vakalatnama, shall be considered as my/our true and lawful act.

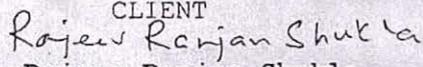
And I/we further hereby agree and undertake to pay the said Advocates his or their fees are settled and all others sums that may be necessary to carry out the requisition of the Court and otherwise to enable the said Advocates to conduct properly. Failing which the said Advocates after notice to me/us will be liberty to withdraw form the further conduct to the case.

IN WITNESS WHERE OF I/We sign and execute this Vakalatnama on this the... day of April 2024

NAME OF ADVOCATE


Gigi C George, Adv
Standing Counsel
Ch.No.336, Lawyers Chamber Block,
Saket District Court, New Delhi
Also at Ch.457, Block-1
Delhi High Court, New Delhi
Enrol No.D11540/1999
Mob: 9810625315
Email: gigicgeorge.adv42@yahoo.in

CLIENT


Rajeev Ranjan Shukla
Regional Director
Central Ground Water Board
Mid-Eastern Region
Patna
Regional Director
Central Ground Water Board
Mid-Eastern Region, Patna-800001