

2.29

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

M.A. No. 15/2024/EZ
In
ORIGINAL APPLICATION NO. 11/2022/EZ

IN THE MATTER OF:

Z1 Residents Welfare Association

.....Applicant(s)

Versus

Z Estates Private Limited & Ors.

.....Respondent(s)

INDEX

| Sl. No. | Particulars | Page No. |
|---------|--|----------|
| 1. | Affidavit on behalf of Central Ground Water Board, | 229-232 |
| 2. | Annexure R-1 | 233 |
| 3. | Annexure R-2 | 234 |

Date:- 24/08/24

Place:- Kolkata

Filed by

Ashok Kumar

Adv.

Counsel for U.O.I

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Affidavit on behalf of Central Ground Water Board, Bhubneswar for the
compliance of order dated 08.07.2024 by Hon'ble NGT/EZ, Kolkata.



Poikram Kumar Saha, aged about 52 years, by working as Regional
Director in the office of the Central Ground Water Board, Govt. Of India, Ministry of Jal
Shakti, Department of River Development Ganga Rejuvenation, South Eastern Region,
Bhujal Bhawan, Bhubaneswar – 751030, do hereby solemnly affirm and declare as under:

1. That I, am duly authorised and competent to swear this affidavit on behalf of
Central Ground Water Board, South Eastern Region, Bhubaneswar in the above
matter.
2. That I have read and understood the order passed by the Hon'ble NGT
dated 08.07.2024 and filing this affidavit in compliance of direction passed
by the Hon'ble Tribunal.
3. That the Deponent is fully conversant with the facts of the case on the basis
of the official record and duly authorised and competent to swear this
present affidavit on behalf of Central Ground Water Board, South Eastern
Region, Bhubaneswar. That as per direction of the Hon'ble Tribunal vide

Poikram Kumar Saha

solemn order dated 01.05.2023 of para 48(f), in OA No. 11/2022/EZ, Ld. Tribunal directed "The Central Ground Water Board shall determine the penalty for violations with regard to recharge of borewells and their pits as committed by the Project Proponent and thereafter recover the same from the Project Proponent within two months after giving him an opportunity of being heard".

4. That for the compliance of the order dated 01/05/2023, answering respondent inspected the project site and on inspection, it has been found that recharge structures constructed by Project Proponent are not maintained properly and impose a penalty a sum of Rs. 2,00,000/- (Rupees two Lakhs) under section 5 of the Environment Protection Act, 1986 and directed to deposit the same within two months from the date of the receipt of the letter.

A copy of the letter dated 03.08.2023 annexed herewith and marked as Annexure R-1.

5. That the Project Proponent deposited the penalty on 13/07/2024 Vide Transaction Ref. No. 1307240008489 on Government of India Receipt Portal (Bharatkosh.gov.in) in the account of Penalty, Z Estates Pvt. Ltd. Penalty as per NGT order dated 01.05.2023.

A copy of the payment receipt is annexed herewith and Marked as Annexure R-2.



Bikram Kumar Sahoo .
DEPONENT

VERIFICATION

I, Bikram Kumar Sahoo the above-named deponent do hereby verify that, the contents of the above affidavit are true and correct to my knowledge based on official records, no part of it is false and nothing material has been concealed there from.

Signed and verified on this 11th Day of August 2024 at Bhubaneswar.

Bikram Kumar Sahoo
DEPONENT

IDENTIFIED BY ME

Bhadraraj Sai

ADVOCATE, BHUBANESWAR

Fno-0-1603/09

IDENTIFIED BY B. H. Swain

ADV. BBSR APPEAL

STATE AN OATH 11/8/24 **ABOUT**

.....AM/PM THAT THE CONTENTS

OF THIS AFFIDAVIT ARE TRUE TO THE

BEST OF HIS/ HER KNOWLEDGE



P.K. Dalabehera
P.K. DALABEHERA
Notary, Bhubaneswar
Regd. No. ON-46/09

1
Annexure - R-1
2033

File No.- CGWA- 21/19/2021-CGWA-Part(1)-441
GOVERNMENT OF INDIA
MINISTRY OF JAL SHAKTI
DEPARTMENT OF WATER RESOURCES, RD & GR
CENTRAL GROUND WATER AUTHORITY
18/11, Jamnagar House, Man Singh Road, New Delhi

Date: 03.08.2023

ORDER

Sub : Compliance of Final Order of NGT dated 01.05.2023 in Z1 Residents' Welfare Association vs. Z Estates Pvt. Ltd (O.A. No. 11/2022/EZ) before Hon'ble NGT, Eastern Bench – reg.

This is in reference to the Final Order of NGT dated 01.05.2023 in Z1 Residents' Welfare Association vs. Z Estates Pvt. Ltd (O.A. No. 11/2022/EZ), wherein it was directed that under Para 48:-

(F) "The Central Ground Water Board shall determine the penalty for violations with regard to recharge of borewells and their pits as committed by the Project Proponent and thereafter recover the same from the Project Proponent within two months after giving him an opportunity of being heard."

In pursuance of the said Order, the project site has been inspected by a team of officers to check the present condition of the recharge pits. On inspection, it has been found that recharge structures constructed by the project proponent are not maintained properly.

Therefore, in exercise of the powers vested under Section 5 of the Environmental (Protection) Act, 1986, **you are hereby directed to deposit a Penalty of Rs. 2,00,000/- (Rs. two lakh only) within 02 months from the date of receipt of this letter**, for non-compliance of NOC conditions in respect of non-maintenance of the recharge structure in accordance with Section 16 of 'Guidelines to control and regulate ground water extraction in India' dated 24.09.2020 issued vide gazette notification No. S.O. 3289(E) by Ministry of Jal Shakti.

To,

M/s Z Estate Pvt Ltd
M4/34, Acharya Vihar
Bhubaneswar
Khordha
Odisha-751013

Yours sincerely,


3.8.23
(Dr. Bhushan R. Lamsoge)
Head of Office

Copy to:

The Regional Director, Central Ground Water Board, South Eastern Region, Bhujal Bhawan, Khandagiri Square, NH-5, Bhubaneshwar, Khordha, Odisha-750001- for necessary action.


(Dr. Bhushan R. Lamsoge)
Head of Office



bharatkosh.gov.in
Government of India Receipt Portal

RECEIPT

Transaction Ref.No. 1307240008489

Dated: Jul 13 2024 3:21PM

Received from MR. TAPAN KUMAR MOHANTY with Transaction
Ref.No. 1307240008489

Dated Jul 13 2024 3:21PM the sum of INR 200000 (Two Lakhs Only) through
Internet based Online payment in the account of

Penalty, , Z Estates Pvt Ltd Penalty as per NGT order dated 01.05.2023.

**Disclaimer:- This is a system generated electronic receipt, hence no physical signature
is required for the purpose of authentication**

Printed On: 13-07-2024 04:21:33

Courtesy :- Controller General of Accounts

Amendment R-2
234