

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
ORIGINAL APPLICATION NO. 161/2024/EZ**

In the Matter of :-

Jagriti Bhattacharya

... Applicant

Versus

The State of West Bengal & Ors.

... Respondent(s)

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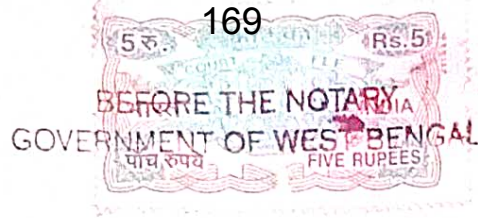
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Mahesh Das

President

Enami City Association of Apartment Owners

Sl. No. 29  
27 SEP 2024



Mahadev Deb  
President  
Emami City Association of Apartment Owners

Filed by  
Raj  
Gandhi  
Adv.

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
ORIGINAL APPLICATION NO. 161/2024/EZ

In the Matter of:-  
Jagriti Bhattacharya

... Applicant

Versus

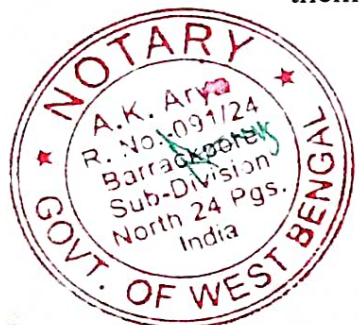
The State of West Bengal & Ors.

... Respondent(s)

**COUNTER AFFIDAVIT IN OPPOSITION FILED BY THE PRIVATE RESPONDENT NOS. 13 AND 14 BEING EMAMI CITY APARTMENTS OWNERS' ASSOCIATION AND MAHADEV DEV RESPECTIVELY (HEREINAFTER CALLED AND REFERRED TO AS THE ANSWERING RESPONDENTS).**

I, Mahadev Dev, son of Late Hem Chandra Deb, aged about 67 years, by faith - Hindu, by occupation - Ex-Serviceman and Legal Practitioner, Nationality - Indian, residing at Emami City, 2 Jessore Road, Golpark, Police Station - Dum Dum, Kolkata - 700028, do hereby solemnly affirm on oath, declare and say as follows:-

1). That I am the Respondent No. 14 to the instant Original Application and as such well conversant with the facts and circumstances out of which this Application arises. I am authorized and/or empowered to affirm this Affidavit for on behalf of the Respondent No. 13 on their behalf and for them and I am sui juris to affirm this affidavit.



27 SEP 2024

Mahadev Das  
President  
Apartment Owners  
Association of Apartment Owners

Filed by  
Sandip Roy  
Adv.

2). A copy of the Application being OA No. 161 of 2024 (EZ) (Re. Jagriti Bhattacharya Vs. The State of West Bengal and Others) with all annexures, affirmed by said Jagriti Bhattacharya, daughter of Gora Chand Bhattacharya, the Applicant herein, residing at 57/2, Shyamnagar Road, Post Office- Bangur, Police Station - Dum Dum, Kolkata - 700057 has been served upon the Answering Respondents and having read the same I say that I have understood the true meaning and import of the contents thereof.

3). That I states that the contents of the Original Application filed by the Original Applicant (hereinafter referred to as ("said Application")) has been read over to me in as vernacular language and I have understood the contents thereof and shall deal with only those portions of the said application to which the answering respondents are concerned and I crave Leave to those paragraphs during the course of argument as may be necessary.

4). That in order to avoid prolixity, I have been advised to traverse only those statements and/or allegations which are material for the purpose of disposal of the instant application. Save and except those statements what are matters of record and those are specifically admitted herein below, the answering respondents herein deny and dispute all other contrary allegations and/or statements as contained in the said application.

Before dealing with the various allegations and/or statements made in the different paragraphs of the said affidavit, I submit that the said application contains many incorrect allegations and/or statements which have been deliberately made only to mislead this Hon'ble Tribunal. I reserve my right to file supplementary counter affidavit make further submissions on the issue at the time of hearing, if necessary.



Mahesh Babu  
President  
Emami City Association of Apartment Owners

Filed by  
Gandhi Bhai  
Adv.

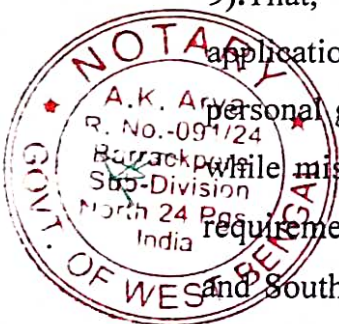
5). Now I proceed to deal with the various averments and/or statements made in various paragraphs of said affidavit. The statements and/or averments which are not specially dealt with hereinafter are deemed not to be admitted.

6). That I say that the Applicant has no locus standi to file the said Original Application being being OA No. 161 of 2024 (EZ) (Re. Jagriti Bhattacharya Vs. The State of West Bengal and Others).

7). That I say that the Applicant herself is a trespasser in respect of the property in question and she with an intention to malign the inhabitants and creating disturbance and annoyance to the inhabitants of the said property and only to gain wrongfully has instituted the said Original Application being OA No. 161 of 2024 (EZ) (Re. Jagriti Bhattacharya Vs. The State of West Bengal and Others).

8). I say that the Applicant is neither a public spirited person, nor have filed the instant Application with a social cause rather she intends to gain wrongfully and publicity by filing the instant Application being OA No. 161 of 2024 (EZ) (Re. Jagriti Bhattacharya Vs. The State of West Bengal and Others).

9). That, it is humbly submitted that applicant of the present original application is totally abuse the process of Law just with an intention to take personal gain & she is trying to gain sympathy from the Hon'ble Tribunal while misguiding the Hon'ble Tribunal, the real fact is that Daily water requirement for Emami city residential complex is of 1125 KLD Approx and South Dum Dum Municipality agreed to arrange about 1100 KLD of



Mohammed Ash  
President  
Emami City Association of Apartment Owners

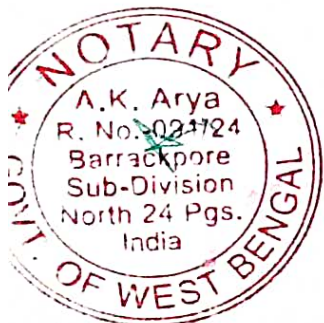
Filed by  
Gandip Roy  
Adv.

water from its own source on dated 24.07.2017 with MEMO#SDM/0819/XXIV. But the arrangement was not in placed till date 2023. Emami city residents observed acute water crisis in month of may 2023 and with Intervention of Ward Councillor and MLA, SDDM promised to make arrangement of about 120 KLD of daily water post October 2023. But unfortunately via MEMO#SDM/1589/XXIV on dated 09/10/2023, SSDM informed their ability to provide only about 150 KL to 200 KL per day and requested Housing Complex Authority to arrange any substitute way to fulfil the Daily requirement of water.

10).That With reference to Paragraph Nos. 1 and 2 of the said Original Application being OA No. 161 of 2024 (EZ) (Re. Jagriti Bhattacharya Vs. The State of West Bengal and Others) the Answering 6 Respondents herein deny and dispute all contrary statements except those that are matters of record and demanding strict proof of the records upon which the said Applicant puts her reliance.

11).With reference to Paragraph No. 3 in the said Original Application being OA No. 161 of 2024 (EZ) (Re. Jagriti Bhattacharya Vs. The State of West Bengal and Others), the answering Respondents herein deny and dispute all contrary statements except those that are matters of record and demanding strict proof of the records upon which the said Applicant puts her reliance.

I say that there is no such inaction exists on the part of the Respondents concerned allegedly not taking the measures and steps to stop the digging process and the construction operation off installation of bore-well thereat.



Manabendra Kumar  
 President  
 Executive Committee of Agricultural Workers' Union

Filed by  
 Sandip Roy  
 Adm.

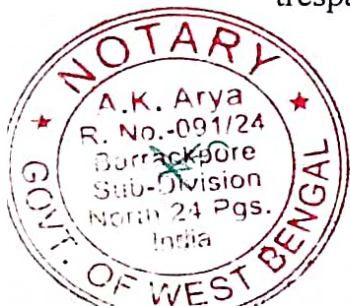
12). With reference to Paragraph No. 4 and sub paragraph Nos. (1), (2) and (3) made thereunder is points of law and the answering Respondents herein deny and dispute all contrary statements except those that are questions of Law and demanding strict proof as well a lawful interpretation of the same.

13). With reference to Paragraph No. 5 and sub paragraph No. (a) thereunder in the said Original Application being OA No. 161 of 2024 (EZ) (Re. Jagriti Bhattacharya Vs. The State of West Bengal and Others), the answering Respondents herein deny and dispute all contrary statements except those that are matters of record and demanding strict proof of the records upon which the said Applicant puts her reliance.

I say that the I say that the Applicant is neither a public spirited person, nor a social worker or environmental activist nor she has filed 7 the instant Application with a social cause rather she intends to gain wrongfully and publicity by filing the instant Application being OA No. 161 of 2024 (EZ) (Re. Jagriti Bhattacharya Vs. The State of West Bengal and Others).

14). With reference to Paragraph No. 5 and sub paragraph Nos. (b), (c), (d), (e), (f) and (g) thereunder in the said Original Application being OA No. 161 of 2024 (EZ) (Re. Jagriti Bhattacharya Vs. The State of West Bengal and Others), the answering Respondents herein deny and dispute all contrary statements except those that are matters of record and demanding strict proof of the records upon which the said Applicant puts her reliance.

I say that those statements are grossly misconceived, false and concocted and the Applicant made such statements only to gain wrongfully and trespassing into the property of the Answering Respondents.



Mahadeb Deb  
President  
Emami City Association of Apartment Owners

Filed by  
Randy Roy  
Att.

15).With reference to Paragraph No. 5 and sub paragraph Nos. (h), (j), (k), (l), (m), (n), (o), (p), (q), (r), (s), (t), (u), (v), (w), (x), (y), and (z) thereunder in the said Original Application being OA No. 161 of 2024 (EZ) (Re. Jagriti Bhattacharya Vs. The State of West Bengal and Others), the answering Respondents herein deny and dispute all contrary statements except those that are matters of record and demanding strict proof of the records upon which the said Applicant puts her reliance.

16).I say that as per record The Memorandum of Understanding (MOM) is made on October 31, 2023, between Emami Realty Limited and the Emami City Association of Apartment Owners, which is incorporated under the West Bengal Apartment Ownership Act, 1972. The Association is registered at 2 Jessore Road, Dum Dum Post Office and Police Station, Kolkata - 700 028, and is represented by its President, Mr. Mahadeb Deb, and Secretary, Mr. Prabin Kumar Chatterjee, hereafter referred to as the ECAAO Association. Following the transfer of absolute possession from Emami Realty Limited (ERL), the ECAAO Association has continued its operations without any changes to the characteristics or number of borewells. Association has taken over Emami City from the developer, Emami Realty Limited, on 'as is where is' basis. They could not take permission for the existing structures only because they were not aware of this. Respondent No. 11 has no involvement in the matter at hand and possesses no knowledge regarding the issues raised in this case.

I say that Daily water requirement for Emami city residential complex is of 1125 KLD Approx and South Dum Dum Municipality agreed to arrange about 1100 KLD of water from its own source on dated 24.07.2017 with MEMO#SDM/0819/XXIV is annexed hereto and marked with the letter "A-



Mahabubul Haque  
President  
Emami City Association of Apartment Owners  
Secretary

Filed by  
Sandeep Roy  
Adv.

But the arrangement was not in placed till date 2023. Emami city residents observed acute water crisis in month of may 2023 and with Intervention of Ward Councillor and MLA, South Dum Dum Municipality promised to make arrangement of about 120 KLD of daily water post October 2023. But unfortunately via MEMO#SDM/1589/XXIV on dated 09/10/2023, SSDM informed their ability to provide only about 150 KL to 200 KL per day and requested Housing Complex Authority to arrange any substitute way to fulfil the Daily requirement of wateris annexed hereto and marked with the letter "A-2".

I say that there are five sanctioned borewells in the premises of the Answering Respondents out of the said five borewells, one which is lying and situated near B2 tower is defunct since long. Photocopy of the Building Plan distinctly showing the location of existing borewells has been annexed hereto and marked with the letter "A-3".

I say that in the Premises of the Answering Respondents there are two rainwater harvesting tanks.

I say that on 9th April, 2024 the Member Secretary, DLGWRA, District North 24 Parganas, and Geologist Geological sub Division III/D, Government of West Bengal issued an Office Memo being Memo No. 100 dated 09.04.2024 to the Answering Respondents seeking information on certain facts as follows –

- (1) Total No. of Functioning and Non functioning borewells.
- (2) Whether any permit was obtained for these wells, if yes, provide the photocopy of the of the permit obtained with details.
- (3) Whether any recent boring was made or any other activities were made other than the boring seen as mentioned above.



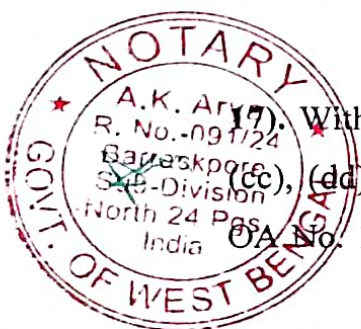
Mahabubul Haque  
 President,  
 Economic City Association of Apartment Owners  
 Filed by  
 Sandip Das

(4) Also kindly mention if there was any chance in name of the society or Tower or your housing complex in due course of time (if permit obtained previously in different name). Photocopy of the said Memo being Memo No. 100 dated 09.04.24 is annexed hereto and marked with the letter "A-4".

I say that in response to the said queries the Answering Respondents on 28th April, 2024 inter alia stating all the relevant facts. Photocopy of the said Reply and/or submissions dated 28th April, 2024 is annexed hereto and marked with the letter "A-5".

I say that on 23rd August, 2024 the Geologist and Member Secretary, DLGWRDS, North 24 Parganas SWID Barasat, under its Office Memo No. 182 dated 23.08.2024 intimated the Answering Respondent that an inspection of their location is scheduled for 27th August, 2024 and seeking their co-operation and assistance. Photocopy of the said Office Memo being Memo No. 182 dated 23.08.2024 is annexed hereto and marked with the letter "A-6".

I say that on 16th September, 2024 the Answering Respondent submits some relevant facts upon enquiry by the said Authority which is self-explanatory. Photocopy of said response dated 16th September, 2024 is annexed hereto and marked with the letter "A-7".



17. With reference to Paragraph No. 5 and sub paragraph Nos. (aa), (bb), (cc), (dd), (ee) and (ff) thereunder in the said Original Application being OA No. 161 of 2024 (EZ) (Re. Jagriti Bhattacharya Vs. The State of West

Mahesh Das  
Secretary  
Kolkata City Association of Apartment Owners

Filed by  
Sandy Ray  
Adv.

Bengal and Others), the answering Respondents herein deny and dispute all contrary statements except those that are matters of record and demanding strict proof of the records upon which the said Applicant puts her reliance.

18). With reference to Paragraph No. 6 and the Grounds set out thereunder is not at all maintainable and hence, liable to be dismissed at the first instance and the said Original Application being OA No. 161 of 2024 (EZ) (Re. Jagriti Bhattacharya Vs. The State of West Bengal and Others), is liable to be dismissed with exemplary costs.

19). With reference to Paragraph No. 7 and 8 in the said Original Application being OA No. 161 of 2024 (EZ) (Re. Jagriti Bhattacharya Vs. The State of West Bengal and Others), the answering Respondents herein deny and dispute all contrary statements except those that are matters of record and demanding strict proof of the records upon which the said Applicant puts her reliance I say that the Prayer is not at all maintainable and here, those may be dismissed with exemplary costs.

I say that there is no case for get the relief as prayed for.

I say that the instant Application being OA No. 161 of 2024 (EZ) (Re. Jagriti Bhattacharya Vs. The State of West Bengal and Others), is not maintainable in the eyes of law and liable to be dismissed with costs.

I submit and pray I beg to reserve my right to affirm any other affidavit in addition and/or supplement to the instant Affidavit in future in the self same issue, if the Hon'ble Tribunal so desires.



Mahesh Chandra  
 Secretary  
 Apartment Association of Apartment Owners  
 Ganga

Filed by  
 Sandip Roy  
 Adv.

In light of the above, it is therefore most humbly prayed that the said petitions are liable to be dismissed by this Hon'ble Tribunal.

I further pray that leaves may be granted to file a more detailed argument with law points affidavit, if necessary, at a large stage as the present affidavit has been filed in the limited time available with the answering respondents.

This is one case where the Applicant has tried to mislead this Hon'ble Tribunal, and therefore, the Application is liable to be rejected on this Ground alone.

20). That the statement made in Paragraph Nos. 1 to 19 are true to my knowledge and rests are my humble submission before this Hon'ble Tribunal.



### VERIFICATION

I the deponent abovenamed, do hereby verify and declare that the statements made in foregoing paragraphs are based from the information derived from the answering respondents and from the official records, which are usually kept and maintained by the answering respondents in the ordinary course and the above affidavit are true and correct to my knowledge and belief derived from the official records. No part of the above affidavit is false and nothing material has been concealed there from.

Prepared in my office &

Mahadev Deb

Identified by me

(MAHADEV DEV)

Sandip Roy  
(SANDIP ROY)

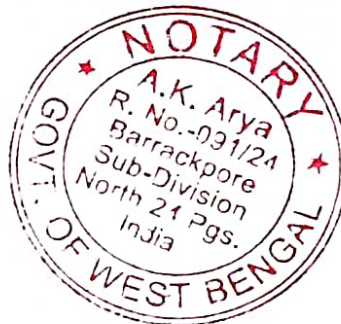
Deponent

Advocate

Solemnly affirmed before me

This the        day of September, 2024

SOLEMNLY AFFIRMED &  
DECLARED BEFORE ME  
ON 27 SEP 2024  
ANIL KUMAR ARYA  
NOTARY-R/NO-091/2024  
GOVT. OF WEST BENGAL



27 SEP 2024

## ANNEXURE - 1

(5) (24)



Office of the Municipal Councillors of South Dum Dum  
Nager Bazaar, Dum Dum Road, Kolkata-74

Phone: 2560 2357, 2560 2743, Fax: 2560 8388, 2560 6601  
E-mail: sddm10@gmail.com

Date: 24<sup>th</sup> July 2017

Nemo No. SDM/0818/XXIV

The Director,  
Oriental Sales Agencies (India) Private Limited,  
687 Anandapur, E.M. Bypass,  
Kolkata-107.

Sub: Permission for obtaining water supply facilities for your housing complex at Premises No. 2 Jessore Road, Holding No. 380(N), 1108(O), Cal-Jessore Road, Ward No. 7, R.S. Plot No. 111, 247, 246, 113, 251, 275, 112/154, 245/297, 248/298, 275/1344, 112, 109, 248/276, 248, 153, L.R. Plot No. 268, 406, 407, 271, 413, 408, 270, 406, 412, 409, 269, 264, 410, 411, 267, L.R. Khatian No. 1, J.L. No. 19, Mouza - Dum Dum House, P.S. Dum Dum, North 24 Parganas District.

Sir,

Please refer to your application and our earlier concurrence letter.

In furtherance to our sanction of your Project at Holding No. 380(N) referred in the subject matter and your assessment of water quantity, we hereby undertake to supply potable water to flat occupants to the extent of about 1100 KLD on daily basis from our own source, in the operation phase.

The charges for the aforesaid facility, if any, will be intimated to you in due course.

Yours faithfully

*Pachu Ray*

Pachu Ray

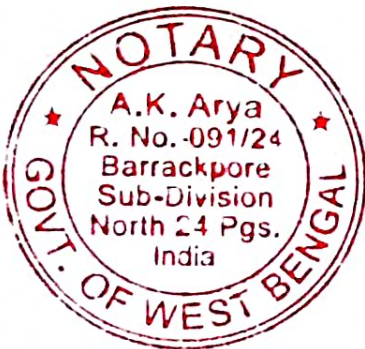
Chairman

Pachu Ray

Chairman

South Dum Dum Municipality

24.07.2017





## South Dum Dum Municipality

Nager Bazaar, Dum Dum Road, Kolkata-74

Phone: 2560 2357, 2560 2743; E-mail: southdumdum74@gmail.com

Memo No. SDM/1589/XXIV

Date: 9<sup>th</sup> October 2023

The Authorized Signatory,  
Emami Realty Limited,  
Regd Office: Acropolis, 13<sup>th</sup> Floor,  
1858/1 Rajdanga Main Road, Kasba, Kolkata-700107.

**Sub:** Bulk Water supply to "Emanu City Residential Complex".  
**Ref:** Your letter dated 7<sup>th</sup> June 2023.

Sir,

With reference to above I am to state that this Municipality does not have any objection for fulfillment of water supply 150 KI to 200 KI. per day if they can arrange any substitute way for their sufficient requirement of water by their own complex authority.

This is for your kind information.

Yours faithfully

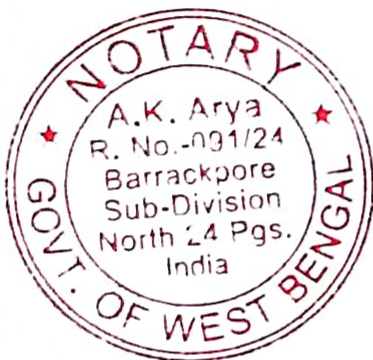
K.C. 9/10/23

Kasturi Chowdhury

Chairperson  
Kasturi Chowdhury

Chairperson

South Dum Dum Municipality





Government of West Bengal  
Office of the Geologist, Geological Sub-Division No III/D  
State Water Investigation Directorate  
Water Resources Investigation & Development Department  
2nd Floor, Jalasampad Bhawan  
Barasat, North 24 Parganas  
Telephone No. 033 25843706, E-mail. geolswidnorth24pgs@gmail.com

ANNEXURE - 4

15\*

15\*

Memo No: 100

Date: 09.04.24

To,  
Sri. Mahadeb Dev  
Emami City Association of Apartment Owners  
2, Jessore Road,  
Kolkata - 700028

Sub: Submission of Permit details of 4 Nos. Bore wells within your Residential Complex, Emami City, 2 Jessore Road, Golpark, Kolkata - 700028

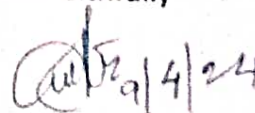
Sir,

As per directives of our higher authority, an inspection was made within your residential Complex of Emami City 2 on 09.04.2024, where 4 nos. existing borewells were observed. Now, the undersigned is requesting you to kindly give information on the following facts for keeping the office records & necessary actions and under the purview of West Bengal Ground Water Resources (Management, Control and Regulation) Act, 2005 and Rules thereof:

1. Total no. of Functioning and Non-functioning borewells
2. Whether any Permit was obtained for these wells, if yes provide the photocopy of the Permit obtained with details.
3. Whether any recent boring was made or any other activities were made other than the boring seen as mentioned above.
4. Also kindly mention if there was any change in name of the Society or Tower or your Housing Complex in due course of time (if Permit obtained previously in different name).

This may kindly be treated as urgent and immediately.

Yours faithfully



Member Secretary  
DLGWRA, District North 24 Parganas  
&  
Geologist Geological Sub-Division III/D



## ANNEXURE - 5

18



+91 33 4063 5170



## EMAMI CITY ASSOCIATION OF APARTMENT OWNERS

Registration No. : 0029002022 Under West Bengal Apartment Ownership Act 1972

2 Jessore Road, P.O. &amp; P.S. : Dum Dum, Kolkata - 700 028

info.emamicityrwa@gmail.com • president.emamicityrwa@gmail.com

TO  
THE MEMBER SECRETARY  
DLGWRA, DIST-NORTH 24PGS,  
Geologist Geological-Sub-Division III/D

Dated : 28.04.2024

Reg: - Submission of permission details of 4 Nos existing bore well in our complex "Emami City",  
2 Jessore Road Kolkata-700028.

Ref. - Your memo no. 100 Dated 09.04/2024.

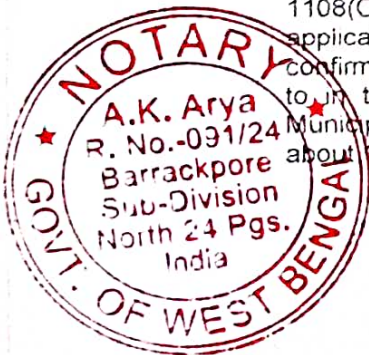
Dear Sir/Madam,

With reference to above we do submit our explanation in the subject matter as under: -

1. Total No. of functioning -Borewell -4  
Total No. of nonfunctional Borewell-1 out of which one is completely dead & nonrepairable
2. These borewells were done by the developer "Emami Realty Ltd." Which were handed over to the owner's association in the month of October 2023 along with project handover, so far permit related to this has not been handed over to us till date, we have demanded the same from ERL for onward submission to your good office.
3. We confirm that no new boring has been done by us recent days after talking over the project in OCT 23. However, surging of existing borewell were done, copy of work order along with bills, receipts are enclosed herewith for reference.
4. Project was developed by Emami Realty Ltd. naming Emami City which was handed over to Emami City Association of Apartment Owners duly registered under WB apartment ACT, 1972 vide Registration No.002902022 of 2022.

This has reference to earlier communication with South Dum Municipality. We are submitting the following documents and letters of permission for bulk water supply in Emami City:

1. On July 24, 2017, the Chairman, Mr. Pachu Ray, addressed developer M/s. Oriental Sales Agency (India) Pvt Ltd, now under Emami Realty Ltd, to obtain water supply facilities for Emami City housing complex at premisses No. 2, Jessore Road, Holding No. 380(N), 1108(O), Cal, Jessore Road, Ward No. 7 (copy attached). Referring to the earlier application and concurrence letter, the Chairman of South Dum Dum Municipality has confirmed that, in furtherance of his sanction of our project at Holding No. 380(N) referred to in the subject matter and our assessment of water quantity, South Dum Dum Municipality hereby undertakes to supply potable water to flat occupants to the extent of about 100 KLD on a daily basis from their source. (Copy attached).



president@emamicityrwa.com  
vice.president@emamicityrwa.com

secretary@emamicityrwa.com  
treasurer@emamicityrwa.com



+91 33 4063 5170

## EMAMI CITY ASSOCIATION OF APARTMENT OWNERS

Registration No. : 0029002022 Under West Bengal Apartment Ownership Act 1972

2 Jessore Road, P.O. & P.S. : Dum Dum, Kolkata - 700 028

info.emamicityrwa@gmail.com • president.emamicityrwa@gmail.com

- 2 -

In light of the sanction, Oriental Sales Agency, now under Emami Realty Ltd., has paid Rs. 38,73,500/- on May 19, 2022, as per demand of SDDM for a sanction of 1100 KLD, but we are getting only 120 KLD to 150 KLD on a daily basis.

In this context, due to the daily short supply of water, we have faced serious water crises in the complex regularly and purchased water tankers for Rs. 50K per day. (Copy enclosed). We have sent several memorandum and letters addressed to the chairperson, the Hon'ble MLA, and local councillors. (Copy attached)

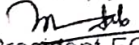
- It is necessary to submit that after a regular demonstration for the water crisis on October 9, 2023, Mrs. Kasturi Chowdhury, the Chairperson of South Dum Dum Municipality, has sent a letter on the bulk water supply to Emami City residential complex to Emami Realty Ltd. with reference to the above subject, stating that this South Dum Dum Municipality does not have any objection to the fulfilment of water supply of 150 KL to 200 KL per day if they can arrange any substitute way for their sufficient requirement of water by their own complex authority. This is for our kind information.

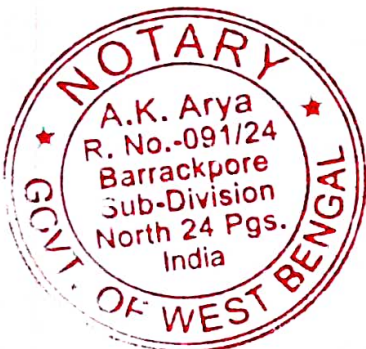
Under the circumstances, we, on behalf of the Emami City Association of Apartment Owners, request your good self to suggest how to manage the water crisis for 5000 inhabitants' 1100 KLD daily water requirement per day in any substitute way.

This is for your kind and necessary information and needful in the matter.

Thanks, and regards,

Sincerely yours,

  
President-ECAAO



president@emamicityrwa.com  
vice.president@emamicityrwa.com

secretary@emamicityrwa.com  
treasurer@emamicityrwa.com

## ANNEXURE-6



**Government of West Bengal**  
**Office of the Geologist, Geological Sub. Division-III/D**  
**State Water Investigation Directorate**  
**Water Resources Investigation & Development Department**  
**2 nd Floor, Jalaswampad Bhawan**  
**Barasat, North 24 Parganas**  
**E-mail. geoloswidnorth24pgs@gmail.com**

Memo No : .....182.....

Date: 23.08.2024

To,  
 Mr. Mahadeb Dev  
 Emami City Association of Apartments owners  
 2, Jessore Road  
 Kol - 700028

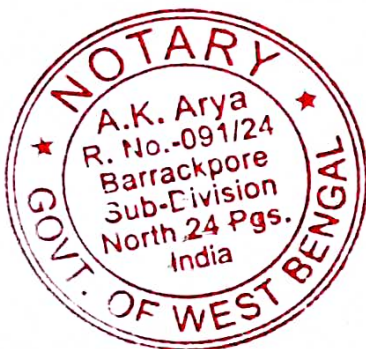
**Sub:** District Geologist's site visit to EMAMI for immediate action in response to higher authority directive

Sir,

In reference to the NGT, OA No-161/EZ/2024 dt 14/08/2024 through Jagriti Bhattacharya, and its subsequent court order an inspection of your location is scheduled for August 27<sup>th</sup>, 2024.

Therefore, it will be beneficial to us if you assist or cooperate so that the investigation can be done.

Thanking you.



*Chinmoyi Ray*  
 Geologist & Member-Secretary  
 DLGWRDA, North 24 Parganas  
 SWID, Barasat

## ANNEXURE - 7



Date: 16/09/2024

To  
Chinmoyi Roy  
Geologist & Member Secretary  
Office of the Geologist, Geologist Sub. Division -III/D  
State Water Investigation Directorate  
Water Resource Investigation & Development Department  
2<sup>nd</sup> Floor, Jalaswampad Bhawan  
Barasat, North 24 Parganas  
E-mail : [geoloswidnorth24pgs@gmail.com](mailto:geoloswidnorth24pgs@gmail.com)

Sub: Response to Memo#188 respect to inspection by District Geologist, North 24 Parganas Dates 27.08.24

Ref: National Green Tribunal, O.A No-161/EZ/2024, between smt. Jagriti Bhattacharya vs, State of West Bengal, Dates on 14.08.2024

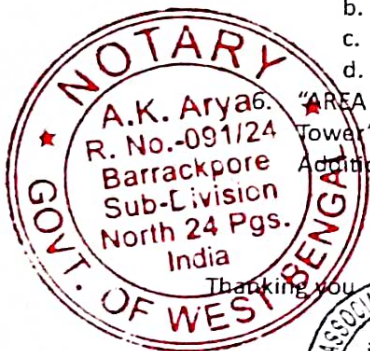
Respected Madam,

Please find the responses below as quested through Memo No# 188 dated 27.08.2024.

1. The Technical details of the existing borewells

Si. No	Latitude & longitude of the Borewell	Housing (...mmx...mm) of the borewell	Discharge in m3/hr	HP	Remarks if any
1	N 22° 37' 44.9922" E 88° 24' 58.18392"	65 mm x 65 mm	30000	5	Near B3 Tower
2	N 22° 37' 44.03388" E 88° 24' 58.28328"	65 mm x 65 mm	—		Near B2 Tower Defunct
3	N 22° 37' 44.13792" E 88° 25' 4.53108'	75 mm x 75 mm	55000	7.5	Club MIE
4	N 22° 37' 41.15532" E 88° 25' 3.52632"	65 mm x 65 mm	45000	7.5	Near C4 tower Children Park
5	N 22° 37' 40.68228" E 88° 25' 2.89164"	50 mm x 50 mm	1000	5	Near C3 Tower Children Park

- A copy of site plan has been attached with. Also, location of the existing borewells is marked in red circles.
  - The provided site has marking of two Rainwater Harvesting Tanks
  - STP location has been marked in site plan and details of equipment used in STP has been provided as attachment.
  - Orient Sales Agencies (India) Pvt. Ltd. Is the primary Lease holder of the land, on which Emami City residential complex has been developed by Emami Realty Limited. Please review the attached documents for the Land record and relation details
    - PRINCIPAL LEASE DEED OF 2007
    - Lease Rent receipt of BS 1419
    - SSDM Mutation Certificate
    - JOINT DEVELOPMENT AGREEMENT TOGETHER WITH DEED OF DECLARATION
- "AREA STATEMENT OF TOTAL PROJECT" in sanctioned site plan has "No. of Flats", "No. of Tower", "GROUND COVERAGE", "F.A.R", "PUBLIC OPEN SPACE" and "PUBLIC UTILITY AREA".  
In Addition to it, please refer the daily water requirement statement.



*Mahadeb Deb*  
President

Emami City Association of Apartment Owners

Mahadeb Deb

President, Emami City Association of Apartment Owners

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
ORIGINAL APPLICATION NO. 161/2024/EZ**

In the Matter of :-

Jagriti Bhattacharya  
... Applicant

Versus

The State of West Bengal &Ors.  
... Respondent(s)

**COUNTER AFFIDAVIT OF THE OPPOSITE PARTIES NO. 13 AND 14**

Sandip Roy  
Advocate  
High Court, Calcutta,  
84/1, D.C. Roy Road, Kolkata – 700015  
Email Id – [advsandiproxy2017@gmail.com](mailto:advsandiproxy2017@gmail.com)  
Mobile No. 82407 29494