

BEFORE THE NOTARY PUBLIC
AT BIDHANNAGAR
DIST. NORTH 24 PARGANAS



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)

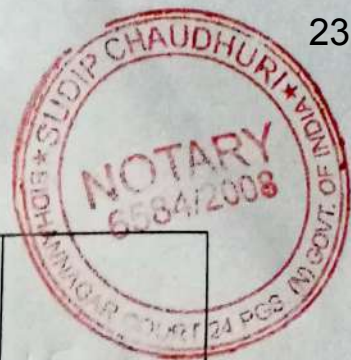
ACTION TAKEN REPORT IN THE FORM OF AFFIDAVIT ON BEHALF OF
THE RESPONDENT NUMBER 06, DIRECTOR, STATE WATER
INVESTIGATION DIRECTORATE, WEST BENGAL.

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Filed by

Sibojyoti Chakrabarti
SIBOJYOTI CHAKRABARTI

Advocate

For The State of West Bengal

Email: subho.advocate@gmail.com

(M): 9007035534

S. CHAUDHURI

NOTARY

GOVT. OF INDIA

Regd. No.-6584/08

Bidhannagar Court

Dist.-North 24 Pgs.

13 OCT 2024

BEFORE THE NOTARY PUBLIC
AT BIDHANNAGAR
DIST. NORTH 24 PARGANAS



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EASTERN ZONE BENCH, KOLKATA
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In The Matter of:

Jagriti Bhattacharya

... Applicant

Versus

The State of West Bengal & Ors.

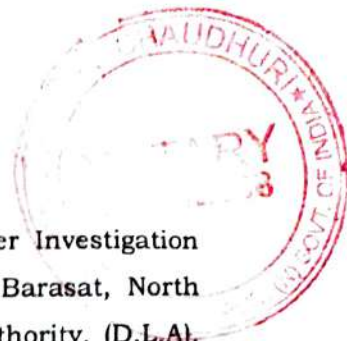
... Respondent(s)

ACTION TAKEN REPORT IN THE FORM OF AFFIDAVIT ON BEHALF OF THE RESPONDENT NUMBER 06, DIRECTOR, STATE WATER INVESTIGATION DIRECTORATE, WEST BENGAL.

I, Smt. Chinmoyi Roy, Daughter of Dr Saumendra Nath Ray, aged about 50 years, by faith: Hindu, by occupation- Government Service duly authorized vide its letter dated 28.10.2024 signed by Director, SWID, residing at 64/18A, M.G Road, Tollygunge, Kolkata 700041 presently posted as Geologist, State Water Investigation Directorate, (S.W.I.D) Geological Sub Division-III D, Barasat, North 24 Parganas & Member Secretary, District Level Authority, (D.L.A), Government of West Bengal under Water Resources Investigation & Development Department, Government of West Bengal having its office at 2nd Floor, Jalasampad Bhawan, North (24) Parganas, Barasat, do hereby solemnly affirm and state as follows:-

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1. That I am presently posted as Geologist, State Water Investigation Directorate, (S.W.I.D) Geological Sub Division-III D, Barasat, North (24) Parganas & Member Secretary, District Level Authority, (D.L.A), Government of West Bengal under Water Resources Investigation & Development Department, Government of West Bengal having office at 2nd Floor, Jalsampad Bhawan, North (24) Parganas, Barasat and is acquainted with the facts and circumstances of this case and is authorized by Director SWID vide memo no 1323/ NGT- West Bengal dt 28.10.2024 to affirm this affidavit.
2. That this Action Taken Report is filed in compliance to the Solemn Order dated 01.10.2024 passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata.
3. That it is stated and submitted that the office of the Geologist, State Water Investigation Directorate, (S.W.I.D) Geological Sub Division-III D, Barasat, North (24) Parganas & Member Secretary, District Level Authority, (D.L.A), had received an email from Emami City Association of Apartments Owners containing attachments of the Permits received in the name of Oriental Sales Agencies.

Photocopy of the Email received from Emami City Association of Apartments Owners containing attachments of the Permits received in the name of Oriental Sales Agencies is annexed herewith and marked with the letter 'R-1'.

4. That the Learned Advocate for the State in the instant matter communicated the Copy of the Solemn Order dated 01.10.2024 of the Hon'ble Tribunal, to the deponent on 07.10.2024.

Copy of the Email dated 07.10.2024 communicating Solemn Order dated 01.10.2024 to the deponent is annexed herewith and marked with the letter 'R-2'.

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5. That subsequently vide letter dated 07.10.2024 was written by the Geologist, State Water Investigation Directorate, (S.W.I.D) Geological Sub Division-III D, Barasat, North (24) Parganas & Member Secretary, District Level Authority, (D.L.A), to the Director, SWID for the next course of action to be taken in this regard.

Photocopy of the letter dated 07.10.2024, vide memo 245 written by the Geologist, State Water Investigation Directorate, (S.W.I.D) Geological Sub Division-III D, Barasat, North (24) Parganas & Member Secretary, District Level Authority, (D.L.A), to the Director, SWID is annexed herewith and marked with the letter 'R-3'.

6. That on the same date vide letter dated 07.10.2024 was written to the District Magistrate & Collector, North (24) Parganas for necessary assistance from civil administration by the Geologist, State Water Investigation Directorate, (S.W.I.D) Geological Sub Division-III D, Barasat, North (24) Parganas & Member Secretary, District Level Authority, (D.L.A), and also request letter was sent to Commissioner of Police, Barrackpore Police Commissionerate seeking police assistance vide memo number 246 dated 07.10.2024.

Photocopies of the letters dated 07.10.2024 written by the Geologist, State Water Investigation Directorate, (S.W.I.D) Geological Sub Division-III D, Barasat, North (24) Parganas & Member Secretary, District Level Authority, (D.L.A), to the District Magistrate & Collector, North (24) Parganas and Commissioner of Police, Barrackpore Police Commissionerate is annexed herewith and marked with the letter 'R-4'.

7. That on 07.10.2024, a letter vide Memo 247 was sent by email to Emami City Association of Apartments Owners regarding Action under section 10 of West Bengal Ground Water Resources (Management, Control and Regulation) Act, 2005 to be taken on 08.10.2024.

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Photocopy of the email dated 07.10.2024 sent to Emami City Association of Apartments Owners regarding Action u/s 10 of West Bengal Ground Water Resources (Management, Control and Regulation) Act, 2005 is annexed herewith and marked with the letter 'R-5'.

8. That on 08.10.2024, the office of the Geologist, State Water Investigation Directorate, (S.W.I.D) Geological Sub Division-III D, Barasat, North (24) Parganas & Member Secretary, District Level Authority, (D.L.A) had taken actions under the provisions of section 10 (g) of West Bengal Ground Water Resources (Management, Control and Regulation) Act, 2005 and dismantled the tubewell and the other tube well could not be dismantled due to hindrance and mass petition.

Photographs showing dismantling of the tubewell and mass petition by the members of the Emami City Association of Apartments Owners are collectively annexed herewith and marked with the letter 'R-6'.

9. That since the officials of the SWID could not dismantle the other tubewell due to public hindrance in this regard a general diary was lodged with the Dum Dum Police Station.

Photocopy of the general diary lodged at Dum Dum police station by the officials of the SWID is annexed herewith and marked with the letter 'R-7'.

10. That a Notice dated 09.10.2024 vide Memo 249 was issued for illegal extraction of ground water to Emami City Association of Apartments Owners and a Penalty of Rs 15,000/- (Rupees Fifteen Thousand) was accordingly imposed.

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Photocopy of the notice dated 09.10.2024 vide memo number 249 issued by the SWID to Emami City Association of Apartments Owners is annexed herewith and marked with the letter 'R-8'.



11. That on 13.10.2024 a mail was received from Emami City Association of Apartments Owners by the SWID, regarding non withdrawal of water from 3 (three) bore wells.

Photocopy of the email dated 13.10.2024 sent by the Emami City Association of Apartments Owners to the SWID is annexed herewith and marked with the letter 'R-9'.

12. That on 22.10.2024 Letters vide Memo No 250, 251, 252 dated 22.10.2024 was mailed to Emami City Association of Apartments Owners regarding the submission of pending documents after scrutinizing their submitted 3 number of Form 1.

Photocopy of the above stated letters are annexed herewith and marked with the letter 'R-10'.

13. That subsequently on 23.10.2024 a letter was issued to Emami City Association of Apartments Owners vide Memo 254 by the SWID, North (24) Parganas regarding the verification of non-withdrawal of water and its subsequent visit dated 25.10.2024.

Photocopy of the letter dated 23.10.2024 issued to Emami City Association of Apartments Owners by the SWID, North (24) Parganas office is annexed herewith and marked with the letter 'R-11'.

14. That on 25.10.2024 the SWID officials had inspected the site at Emami City at Jessore Road and it was confirmed that 2 (Two) running tube wells were dismantled out of the four. Accordingly all photographs were taken.

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Photographs showing dismantling of the second tubewell is annexed herewith and marked with the letter 'R-12'.

15. That on 25.10.2024 a letter/petition was submitted to the office of the SWID by the Emami City Apartment Association Owners stating that two tube wells are running in favour of which permits were already taken from SWID (in favour of their developer namely, Oriental Sales Agencies (India) Pvt Ltd.) and they will not be able to sustain without getting supply of groundwater from these two operational tubewells as they are suffering from insufficient supply of domestic water since dismantling another two tubewells.

Photocopy of the letter dated 25.10.2024 submitted to the office of the SWID by the Emami City Association of Apartments Owners is annexed herewith and marked with the letter 'R-13'.

16. That on the same date i.e on 25.10.2024 an email dated 25.10.2024 regarding the complying of the requisite and payment of the penalty of Rs 15,000/- (Rupees Fifteen Thousand) was received by Emami City Association of Apartments Owners.

Copy of the email dated 25.10.2024 sent by the Emami City Association of Apartments Owners to the SWID is annexed herewith and marked with the letter 'R-14'.

17. That on 28.10.2024 a mail was received from Emami City Association of Apartments Owners by the SWID, regarding non withdrawal of water from 3 (three) bore wells alongwith attached photographs and bills of water tankers.

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Photocopy of the email dated 28.10.2024 sent by the Emami City Association of Apartments Owners to the SWID is annexed herewith and marked with the letter 'R-15'.

18. That on 29.10.2024 a letter from Emami City Association of Apartments Owners was mailed from District Administration, North 24 Parganas regarding serious water crises at Emami City.

Photocopy of the letter dated 29.10.2024 sent by District Administration North 24 Parganas is annexed herewith and marked with the letter 'R-16'.

19. That on 30.10.2024 2 (two) submissions of Form 1 having Nos BID/A 126, SL No 14 & 15 for name change was received from Emami City Association of Apartments Owners

Photocopy of the letter of submission of Form 1 is annexed herewith and marked with the letter 'R-17'.

20. That it is most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to pass necessary Order/Orders as is deemed fit for the ends of justice.

Identified by me

Subjoyoti Chakrabarti
Advocate 30/10/2024
State of West Bengal

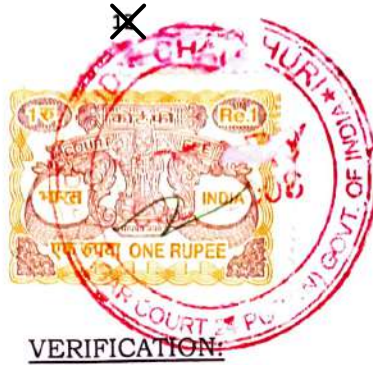
Srinagesh Roy
Deponent

**Geologist &
Member Secretary
D.L.A. North 24 Pgs
Geological Sub-Division- IIID
S.W.I.D. Govt. of West Bengal
Barasat, North 24-Parganas**

S. Dip Chaudhuri
**S. CHAUDHURI
NOTARY
GOVT. OF INDIA
Regn. No.-658/08
Bidhannagar Court
Dist.-North 24 Pgs.**

30 OCT 2024

**BEFORE THE NOTARY PUBLIC
AT BIDHANNAGAR
DIST.-NORTH 24 PARGANAS**



VERIFICATION:

I, the deponent do hereby verify and declare that the statements made in the aforesaid paragraphs are true and correct to the best of my knowledge and information as per records available in the office of the Geologist, State Water Investigation Directorate, (S.W.I.D) Geological Sub Division-III D, Barasat, North (24) Parganas & Member Secretary, District Level Authority, (D.L.A), Government of West Bengal under Water Resources Investigation & Development Department, Government of West Bengal and I believe that nothing material has been concealed there from.

Verified at Kolkata on the 30th Day of October, 2024.

Identified by me

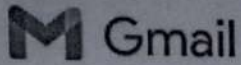
S. Joyoti Chakraborty
Advocate 30/10/2024
State of West Bengal

Chinnogje Ray
Deponent

**Geologist &
Member Secretary
D.L.A. North 24 Pgs
Geological Sub-Division- III D
S.W.I.D. Govt. of West Bengal
Barasat, North 24-Parganas**

S. Chaudhuri
**S. CHAUDHURI
NOTARY
GOVT. OF INDIA
Regd. No.-6584/08
Bidhannagar Court
Dist.-North 24 Pgs**

30 OCT 2024



Geologist Barasat <geolswidnorth24pgs@gmail.com>

Borewell permission letter

1 message

Secretary Emami <secretary.emamacityrwa@gmail.com>

Thu, Oct 3, 2024 at 12:48 PM


To: Geologist Barasat <geolswidnorth24pgs@gmail.com>

Cc: Senior Geologist <sr.geologist.swid.ber.msd@gmail.com>, Superintending Geologist <sgswid@gmail.com>, Niladri Naha <directorswid@gmail.com>

Dear Sir/Madam

Attached please find, herewith, borewell permission letter in Form-4 granted by your office in 2012 and 2014. This is for information and necessary action please.

Thanks and regards

 **SWID permission letter.pdf**
750K

10/9/24, 8:43 PM

-X- *Amosulo - R-2*

Gmail - Compliance of the Solemn Order dated 01.10.2024 passed by Hon'ble National Green Tribunal, EZB, Kolkata, Kolkata 244



Geologist Barasat <geolswidnorth24pgs@gmail.com>

Compliance of the Solemn Order dated 01.10.2024 passed by Hon'ble National Green Tribunal, EZB, Kolkata, Kolkata

2 messages

Mon, Oct 7, 2024 at 12:16 PM

Sibojyoti Chakrabarti <subho.advocate@gmail.com>
To: geolswidnorth24pgs@gmail.com
Cc: sr.geolswiddpc@gmail.com

To
The Geologist & Member Secretary,
District Level Ground Water Resource Development Authority,
North (24) Parganas, SWID, Barasat

RE: O. A. No. 161/2024/EZ (Jagriti Bhattacharyya Vs State of West Bengal & Ors)

Madam,

Kindly find enclosed soft copy of the Solemn Order dated 01.10.2024 passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata for your information and necessary action for compliance of the said Solemn Order. (Please refer to paragraph 7 & 8 of the Order dated 01.10.2024)

The next date of the above matter has been fixed on 14.10.2024 for filing Action Taken Report, by SWID.

Thanks & Regards,

Sibojyoti Chakrabarti
Advocate/Pleader
State of West Bengal

O A NO 161 OF 2024 EZ Order dated 01 10 2024.pdf
100K

Geologist Barasat <geolswidnorth24pgs@gmail.com>
To: Senior Geologist <sr.geologist.swid.ber.ms@gmail.com>, Superintending Geologist <sgswid@gmail.com>

Mon, Oct 7, 2024 at 12:41 PM

Sir,
Kindly find the trailing mail and please guide me regarding my course of action.
[Quoted text hidden]

O A NO 161 OF 2024 EZ Order dated 01 10 2024.pdf
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**Government of West Bengal
Office of the Geologist
Geological Sub-Division No. III(D)
State Water Investigation Directorate
Water Resources Investigation & Development Department
Jalasampad Bhaban, 2nd Floor
Barasat, North 24 Parganas
E-mail: geoloswidnorth24pgs@gmail.com**

Date: 07.10.2024

Memo No: 245

To
The Director
Government of West Bengal
State Water Investigation Directorate
Nirman Bhawan, 3rd Floor
Salt Lake, Sector-II
Kolkata 700091

Sub: Course of Action as per Order dt 01.10.2024

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

Sir,

As per your instruction and email from Mr Sibojyoti Chakrabarti (Advocate, Pleader, State of West Bengal) dt 07.10.2024 under reference cited above, I would like to draw your kind attention that I shall have to seek assistance from the civil administration which possibly refer to the actions that were intended on 30.09.2024 as per u/s 10 of the Ground Water Act 2005 (Ref: paragraph 7 & 8 of Court's Order where an action taken report against Emami City Apartment Owners' Association, 2, Jessore Road, Kolkata 700028 is said to be filed).

Hence, the undersigned is going to put up the reference and ask for the necessary assistance from the civil administration accordingly to carry out the work laid u/s 10 (j) and or u/s 10 (g) of Ground Water Act 2005.

It is to be mentioned that out of the 5 (five) existing groundwater structures (4 operational and 1 non-operational tube wells), they emailed photocopies of 'Permit' certificates against 2 (two) tube wells issued by SWID, but the same were issued in the name of Oriental Sales Agencies India Pvt. Ltd. Therefore, a penalty of Rs 20,000/- against 4 operational tube wells @Rs 5000/- per tube well was imposed on them and the same amount was realized from their end. Thereafter, they submitted 'Form 1' seeking permissions against 3 existing tube wells only. In due course, all the actions already taken are attached in Annexure 1 for your kind information please

Kindly guide if any other actions are required from this end.

Thanking You,

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

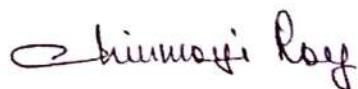
-X-

Date: 07.10.2024

Memo No: 245/1(2)

Copy forwarded for necessary information please to:

- 1) The Superintending Geologist, Geological Circle, SWID, Bikash Bhawan, 4th Floor, Salt Lake, Kolkata 700091.
- 2) The Sr. Geologist, Division III, Berhampore



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



Annexure I

STATEMENT OF FACTS AND ACTIONS TAKEN AGAINST AN NGT CASE OA 161/EZ/2024 BETWEEN SMT. JAGRITI BHATTACHARYA VS STATE OF WEST BENGAL

1. **23.08.2024** : An NGT case OA 161/EZ/2024 between Smt. Jagriti Bhattacharya (APPLICANT OF CASE) vs State of West Bengal has been received through the Director, SWID vide Memo No. 1097 Dated 22.08.2024 with an instruction to take action as per Law (**Annexure-A**).
2. **23.08.2024** : Geologist issued a letter for site inspection to Emami City Association of Apartment Owners, Emami City 2, Jessore Road, Kolkata 700 028 vide Memo No. 182 Dated 23.08.2024 (**Annexure-B**).

3. **27.08.2024** : An Inspection was carried out by the Geologist. After inspection a letter regarding certain queries was issued to Emami by Geologist vide Memo No. 184 dated 27.08.2024 (**Annexure-C**).

During the inspection it was found that the residential complex comprising about 5000 residents who were supposed to be supplied with 1100 KLD of water by the South Dumdum municipality but currently receive only 100 KLD. Further, it was learned that the project was handed over in the year 2023 without the permits of TW'S so they could not provide any documents regarding the validity of the borings. There were 5 boring structures of which only 4 were operational were found.

4. **29.08.2024** : An Action Taken Report was submitted by the Geologist to Director SWID vide Memo No. 186 dated 29.08.2024 in reference to the Memo No. 1097 Dated 22.08.2024 of Director, SWID (**Annexure-D**).
5. **02.09.2024** : An explanation was sought from Emami City Association of Apartments Owners vide Memo No. 189 dated 02.09.2024 for illegal abstraction of ground water (**Annexure-E**).
6. **10.09.2024** : A letter was issued to Municipality, South Dumdum regarding the verification of the address in certificates named **Orient Sales Agencies (Pvt.) Ltd. Which had references of this site**, vide Memo No. dated 10.09.2024 (**Annexure-F**).

From office records, it was found that 2 permits were issued to **Orient Sales Agencies (India) Pvt. Ltd** in 2012 and 2014, but the address were given in the format of Block/Mouza/JL/Plot and nowhere '2 Jessore Road' was mentioned. Hence after discussion with ADM (LR) a letter was issued to municipality regarding the verification of the addresses.

7. **18.09.2024** : A response from Emami City Association of Apartments Owners has been received via speed post in reference to the Memo No. 186 dated 27.08.2024 (**Annexure-G**).
8. **19.09.2024** : A Penalty Notice for each functional tube wells was served to Emami City Association of Apartments Owners giving a time span of 15 days vide Memo No. 211 dated 19.09.2024 (**Annexure-H**).
9. **19.09.2024** : A letter to Director SWID regarding the reply from Emami City Association of Apartments Owners vide Memo No. 212 dated 19.09.2024 (**Annexure-I**).
10. **20.09.2024** : A letter to Emami City Association of Apartments Owners regarding a visit to the office of the Geologist on 23.09.2024 was issued vide Memo No. 215 dated 20.09.2024 (**Annexure-J**).

-1X- R3.

11. **20.09.2024** : An Order from NGT was received to this end.
 12. **23.09.2024** : As directed Mr. Mahadev Deb representative of Emami City Association of Apartments Owners along with 2 persons has visited the office of the Geologist & collected 5 Nos. of FORM 1 for permission for existing tube wells.
 13. **23.09.2024** : A letter from Director SWID was issued dated vide Memo No. 1227/GW88/N-24pgs dated 23.09.2024 for the Action Taken U/S (10) & (16) of the West Bengal Ground Water Act, 2005 against Memo 186 dated 29.08.2024 & 189 dt 02.09.2024 with a proper intimation to District Authority (**Annexure-H**). An action under US (16) was already taken by the geologist as referred in point no 8.
 14. **24.09.2024** : A note sheet was placed to the District Magistrate & Chairman, DLA, North 24 Parganas intimating all the records & facts in reference to the Memo No. 1227/GW88/N-24pgs dated 23.09.2024 of Director SWID for the necessary approval to take action U/S (10) of the West Bengal Ground Water Act, 2005 for the NGT Case No. OA 161/EZ/2024 (**Annexure-I**). An action taken report was issued to Director SWID as sought by him vide Memo No. 224 dated 24.09.2024.
 15. **25.09.2024** : An reply was received from Emami City Association of Apartments Owners in reference to the Memo No. 189 dated 02.09.2024 (**Annexure-J**).
 16. **27.09.2024** : 3 forms of FORM 1 were submitted to the Office of the Geologist by Emami City Association of Apartments Owners .
 17. **30.09.2024** : The Penalty amount of Rs 20,000 was paid and the Challan was mailed by the Emami City Association of Apartments Owners
 18. **30.09.2024** : A mail from Sibojyoti Chakrabarti, Advocate, representing State of West Bengal has been received at 01.08 PM on 30th Sept stating that " On 30.09.2024 itself the matter O.A. 161/2024/EZ was fixed for hearing and after hearing the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata has been pleased to observe that inspite of the finding of the SWID in its both affidavits no positive steps have been taken to stop the illegal extraction of ground water in connection with the aforesaid matter, neither the bore wells in question have been sealed (**Annexure-K**)". Although official order was not received by the department.
 In this context action taken in the above premises may be informed to the Hon'ble Tribunal by way of affidavit by tomorrow morning i.e on 01.10.2024 positively failing which adverse order will be passed against the concerned official. Therefore, he was accordingly requested to take up the matter on an urgent so that the affidavit may be filed by 30.09.2024 showing action taken.
- In this regard telephonic discussion was made with the Additional District Magistrate (Dev), North 24 Parganas & reply received from her end to act according to the court order which was awaited.
- However, as per the instruction from the Office of The Director, SWID a team from the Office of The Geologist, SWID, North 24 Parganas visited the location & tried to dismantle the structure but couldn't do the same due to resistance from the residents of that complex. Incidence videography was done & communicated to the higher authority.
- Apart from that a general diary was lodged at the Dum Dum Police Station & copy of the same was also communicated to the higher authority via email on 30.09.2024 (**Annexure-L**).

- 17 - Annexure - R-4

NOTESHEET

Sub: NGT OA 161/EZ/2024

A NGT case was filed by Jagriti Bhattacharya regarding illegal boring & installation of borewell pump in the Emami City (Residential project), 2 Jessore Road.

Prior to this NGT, she complained regarding the same issue dated 27/03/2024 & then a RTI was also filed dated 16/04/2024 & for all these communications actions were taken accordingly. The facts & figures are given in exhibit marked "E".

After the NGT OA 161/EZ/ 2024 was forwarded to the undersigned dated 22/8/2024, the Geologist after inspection dated 27/08/2024 submitted an inspection report dated 29/08/2024 marked as "E".

It was learned that the Residential Complex consisting of nearly 5000 residents who were facing an acute crisis of water supply revived the old existing tubewells to suffice their needs & according to them no new TW was installed. According to them the South Dumdum Municipality was supposed to cater 110 KLD but presently could only give 100 KLD which led to the water scarcity.

It was also learned that these flats were handed over only in 2023 without the Permits of the TWS so they could not provide any document regarding the legality of the borings. There were 5 boring structures out of which only 4 were operational.

Accordingly letters were issued to Emami City for more information & it was learned that the project was in the name of the Oriental Sales Agencies (India) Pvt. Ltd in the developing stage.

From office records, it was found that 2 permits were issued to Oriental Sales Agencies (India) Pvt. Ltd in 2012 and 2014, but the address were given in the format of Block/Mouza/JL/Plot and nowhere 2 Jessore Road was mentioned. Hence after discussion with ADM (LR) a letter was issued to municipality regarding the verification of the addresses to be the same and one or not.

In the mean time an explanation was also demanded from Emami City, regarding their illegal running TW's dated 2/9/24 as per the directions from higher authority given as exhibit marked "F"

A reply from the Emami City Association was delivered via speed post dated 18/9/24 giving all the documents asked for in letter dated 27/8/24 & marked as "D" & "I".

As per the instructions of Higher Authority again a penal action was issued to Emami dt 19/9/24 & marked as 'H'.

Now, the Order from NGT was sent do the undersigned based on the hearing date 20/9/24 & subsequently Director SWID issued a letter dt 23/9/24 for taking immediate action against Emami City as per provision of Section (10) & Section (16) of Ground Water Act 2005 with proper intimation to District Authority exhibited as 'M'

- Now, Section (16) GW Act 2005 states about the penal provision, which the undersigned have already taken dt 19/9/24, where a penalty of Rs. 20,000/- (Rs 5000/- per TW) only was charged for the 4 operating T.W's, giving them a time span of 15 days from the date of

(2)
 receipt of the letter, which was mailed dated 11/9/24. Since the Emami City has time duration till 4/10/24.
 Moreover, a letter was also issued dt 20/9/24 to Emami City for visiting the office of the Geologist, keeping the fact in mind, that many complicated situations are solved on hearing & by verbal communication & 3 persons from Emami City namely Mahadeb Deb, Sanjay Kumar & Bidhan Roy visited the office on 23/9/24. After all the hearing, they also wanted to regularize the TW's & accordingly took 5 No's of Form 1 having Book No BID/A 126 with Sl Nos 13,14,15,16,17 from the Office & conveyed that they will submit them at the earliest along with all documents that are needed.

Hence in the present situation, where action U/S (16) has already been taken this notesheet is being put up for your necessary information, intimation & instructions as per Director's letter regarding actions U/S 10.

All necessary documents are given & marked in Alphabets.

All the documents are chronologically attached & summed up below for your ready reference.

1. NGT case OA 161/EZ/2024 of Smt. Jagriti Bhattacharya vs State of West Bengal—marked as 'A'
2. Letter from Director SWID & Chairman SLA of WBGWR (Management, Control & Regulation Act, 2005), for an Action Taken Report dated 22/08/2024 marked as 'B'
3. Geologist issued a letter for site inspection at Emami City to Emami City Association of Apartment Owners dated 23/08/2024 marked as 'C'
4. A letter regarding certain queries was issued to Emami by Geologist dated 27/08/2024 marked as 'D'
5. An Action Taken Report was submitted by the Geologist to Director SWID dated 29/08/2024 marked as 'E'
6. An explanation was sought from Emami vide letter dated 02/09/2024 marked as 'F'
7. A letter was issued to South Dumdum Municipality, regarding the verification of the address in certificates named Oriental Agencies to be the same and one with 2, Jessore Road dated 10/09/2024 marked as 'G'
8. A Penalty Notice was served to Emami giving a time span of 15 days dated 19/09/2024 & marked as 'H'
9. A letter to Director SWID regarding the reply from Emami dated 19/09/2024 marked as 'I'
10. A letter to Emami, regarding a visit to the office of the Geologist dated 20/09/2024 marked as 'J'
11. An Order from NGT was forwarded & marked as 'K'
12. The letter from Emami regarding Requisition of form 1 for application of 5 Tube Wells according to GW act 2005 dated 23.09.2024 & marked as 'L'
13. A letter from Director SWID was issued dated 23/09/2024 for taking immediate necessary action as per the provision of section (10) and section (16) with proper intimation to District Authority marked as 'M'
14. Photocopy of U/S (10) and U/S (16) and Delegation of Powers of U/S (10) to District Level Authorities & marked as 'N'

Put up to District Magistrate & Chairman, District Level Authority, North 24 Parganas

ADM (Dev)

Chinmayi Roy
 24/9/2024

(S)

~~29~~

Action to be taken as per
 extant rules & Hoible route directions

↓

Geologist SWID -

In continuation to NS No 1,2 and in reference to the Order dated 01.10.2024 of O/A No - 161/2024/EZ of NGT an application for assistance from police is put up to you for your kind perusal for carrying out the work u/s 10 (j) and or u/s 10 (g) of Ground Water Act 2005 on 08.10.2024. "0"

As per the present situation the following facts are given below -

1. There are five bore well structure in the premises of Emami City out of which four are operational.
2. As per under section 16 of Ground water Act 2005 a penalty amounting to Rs 20000/- is realized dated 30.09.2024.
3. The Emami city owners have applied in form 1 for the permission of 3 operational tubewell dated 27.09.2024
4. The Emami City have also furnished two certificates via mail in the name of Oriental Sales Agencies India Pvt. Ltd dated 03.10.2024.
It is to be stated that the name of the permits is incongruous to the name in question and needs actions as per Ground Water Act 2005 for necessary name change.
5. Hence out of the five borewells structure three does not have any permission on date. Hence actions need to be taken u/s 10 for 3 borings.

Put up to District Magistrate and Chairman, DLA North 24 Parganas for his kind perusal

ADH (SW)

Chinnappa Roy 2/10/24

Pls communicate police assistance is
 required at what date & time with
 program schedule.

↓

Geologist -



**Government of West Bengal
Office of the Geologist
Geological Sub-Division No. III(D)
State Water Investigation Directorate
Water Resources Investigation & Development Department
Jalasampad Bhaban, 2nd Floor
Barasat, North 24 Parganas
E-mail: geoloswidnorth24pgs@gmail.com**

Memo No: 246

Date: 07.10.2024

To
The Ld. Commissioner of Police
Barrackpore Police Commissionerate
B.T Road near Latbagan Main Gate
Chiriamore, Barrackpore
Kolkata 700120

Sub: Police Assistance as per Order dt 01.10.2024

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

Sir,

In reference to the above subject and as per the discussions with District Administration the undersigned seeks assistance from the police for the actions to be taken u/s 10 of Ground Water Act 2005 for illegal abstraction of ground water at Emami City, 2 Jessore Road, Kolkata 700028.

The referenced Order is enclosed for your kind perusal.

As the commencement of Durga Puja is around the corner and the next hearing date is scheduled on 14.10.2024 so the undersigned takes a plea for the schedule to be fixed on 08.10.2024 at 1pm.

Verbal communication with SI, Dumdum PS has also been done and he is aware of the facts due to the GD that was done dated 30.09.2024.

Thanking You,

Encl- As Stated

Geologist & Member-Secretary DLGWRDA,
North 24 Parganas

Date: 07.10.2024

Memo No: 246/1(6)

Copy forwarded for necessary information please to:

- 1) Director & Chairman, State Level Authority, State Water Investigation Directorate
- 2) District Magistrate & Chairman, DLGWRDA, North 24 Parganas
- 3) The Superintending Geologist & Member Secretary, State Level Authority, SWID
- 4) ADM (Dev), North 24 Parganas
- 5) The Senior Geologist, Geological Division No. III, Berhampore.
- 6) OC, Dumdum PS

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



Annexure-R-5

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, Julaswampad Bhawan
Barasat, North 24 Parganas
E-mail. geoloswidnorth24pgs@gmail.com

Memo No : 247

Date: 07.10.2024

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

Sub: Notice for Action to be taken u/s 10 of Ground Water Act 2005
Ref: Case OA 161/EZ/2024 between SMT. JAGRITI BHATTACHARYA VS STATE OF WEST BENGAL and its Order dated 01.10.2024

Sir,
In reference to the above subject, actions u/s 10 of Ground Water Act 2005, will be taken on 08.10.2024 (Tuesday) by the undersigned in your site for the illegally operating tube wells. Therefore, it will be beneficial if you assist or cooperate with us so that we may complete our actions as per law.

Thanking you.

Chinnappa Roy
Geologist, SWID & Member-Secretary
DLGWRDA, North 24 Parganas

Memo No: 247/1(5)

Date: 07.10.2024

Copy forwarded for necessary information please to

- 1) Director, SWID & Chairman SLA, Nirman Bhawan
- 2) District Magistrate & Chairman DLA, North 24 Pgs
- 3) ADM (Dev), North 24 Parganas
- 4) Superintending Geologist & Member Secretary SLA, Bikash Bhawan
- 5) Senior Geologist, Div III, Berhampore

Chinnappa Roy
Geologist & Member-Secretary
DLGWRDA, North 24 Parganas
SWID, Barasat

Annexure - R-6
 DE - 240
 Dt - 08/10/24
 Geologist
 Geological Sub-Division No. III/D
 State Water Investigation Directorate
 Government of West Bengal
 Barasat, North 24-Parganas
 Dated : 08.10.2024

To,
 The Inspection Team,
 (SWID Official and assisted by Dum Dum Police)
 Place of Inspection: Emami City,
 2, Jessore Road, Dum Dum,
 Kolkata 700 028.

Subject: Urgent Request Regarding Borewell Closure in Our Society

Dear Sir/Madam,

We, the residents of Emami City, are humbly expressing our concerns regarding the recent action taken by the SWID authorities under Section 10(g) of ground water Act, 2005, in compliance with the court order dated 1st October 2024, to close the borewell in our society due to environmental concerns.

Our society comprises 1,233 flats and other common amenities. This society is home to over 5,000 residents, including a large number of senior citizens, women, patients, and young children, who heavily rely on the borewell as a critical water source due to the insufficient supply from SDDM municipal. The decision of sudden closure of the borewell by SWID Authorities, without the provision of the requisite water supply committed by SDDM municipal or from other sources. It may be noted that on 08.10.2024 i.e. today, the SWID Authority visited our complex and has already closed one Borewell, which will severely impact the daily lives and well-being of the entire community.

Therefore, we respectfully request that you reconsider the immediate closure of the borewells, which are of critical dependency of our residents for water resources. We urge you to grant us more time till alternatives are made by SDDM or seek relief through legal channels.

We are also submitting the mass petition against your action for the closure of other borings as water is an essential service on humanitarian grounds which cannot be tolerated. We are committed to complying with environmental regulations but require a solution from the Municipality that ensures the well-being of our vulnerable residents. We request your understanding and a swift resolution to this matter.

Thank you for your attention and consideration.

Yours Sincerely,

Enclose: Mass Signatures of suffering residents at Emami City Complex.

J Kumar
 (SANJAY KUMAR)
 Secretary
 ECAAO

M. S. S.
 (Mahadeb Deb)
 President: ECAAO

R. S. S.
 Bidhan Roy Choudhury
 Asst. Secretary
 ECAAO.

Date-08/10/2024

| Flat Number | Name | Signature |
|-------------|-------------------|-----------|
| B3-1002 | PRACHI BHALOTTA | Prachi |
| A3-502 | Kusum Agarwal | Kusum |
| C4-203 | Neha Borthra | Neha |
| A2-1202 | Pinki Banka | Pinko |
| C1-1101 | Jyoti Agarwal | Jyoti |
| B1-801 | AIKA Kedia | Aika |
| A5-802 | Alanksha Kerkhota | Alanksh. |
| A3-1201 | Pooja Ganerwal | Pooja |
| D1-1201 | Sweety Chaudhary | Sweety |
| E1-1104 | Anupama Agarwal | Anu |
| A3-902 | Kanta Bhagat | Kanta |
| A3-1301 | Savita Agarwal | Savita |
| B4-202 | Suruchi Sultania | Suruchi |
| B4-603 | Puja Pransha | Puja |
| E1-1102 | Anju Jain | Anju |
| E1-1103 | Priya Sharma | Priya |
| E1-1103 | Shruti Khankar | Shruti |
| E1-1102 | Sheha Dhaduk | Sheha |
| E1-503 | Nishi Bansal | Nishi |
| E1-604 | Ruchika Bhatra | Ruchika |
| E2-1303 | Ravi Kumar Hassh | Ravikuma |
| B1-1103 | Deepak Acharya | Deepak |

-2X6-

Date- 08/10/2024

| Flat Number | Name | Signature |
|-------------|---------------------|-----------------|
| A4-504 | UMESH SOMANI | |
| C5-120 | Mansum Chakraborty | |
| A5-903 | Lanlanu Sen | |
| D1-204 | Anil Kyrinal | |
| D2-902 | KAUSHIK CHAKRABORTY | |
| D2-902 | Sumita Chakraborty | 8/10/24 |
| B4-1302 | Archana Kamdar | Archana. |
| D.2-504 | Guman Shaw | |
| A-1701 | Pranala Poddar | |
| E4/604 | Mira Agarwal | Mira Agarwal |
| C4/601 | Ritu Agarwal | Ritu Agarwal |
| C3/1102 | Nirmala Patodia | Nirmala Patodia |
| C8/803 | Sangita Tanti | |
| A1/602 | Asha Agarwal | |
| E2-1304 | Reema Acharya | |
| B.2.601 | Sangita Agarwal | Sangita Ag. |
| E1-903 | Nikita Agarwal | Nikita |
| C3-1104 | Madhu Gupta | |
| D2-1101 | Sanjay Kumar Jain. | |
| D2-1101 | Nira Jain | |
| A5-603 | | S.H. Kyal |
| D2-1001 | Ritu Agarwal. | |

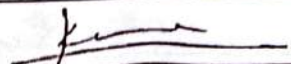

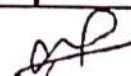

Date- 08/10/2024

| Flat Number | Name | Signature |
|-------------|----------------------|--------------------|
| A5401 | Shiv Prakash Pally | Shiv Prakash Pally |
| B2802 | RANINDRA JHUNWAL | Ranjana |
| D1003 | Chubvieu U'III | Chubvieu U'III |
| B1-1003 | ROBIN PATHAK | R. Pathak |
| A6202 | Dipali Samra | Dipali Samra |
| C2403 | Soumik Saha | Jayanti Saha |
| A4504 | Manisha Somani | Manisha |
| A4503 | Manisha Thelasarai | For Manisha |
| B5-1004 | Sumitra Devi Agarwal | Sumitra |
| B3-1001 | Badri Pd. Singhania | BPS. |
| D2-603 | Nita Jhunjhunwala | Nita |
| D2-602 | Sangita Jhunjhunwala | Sangita |
| C5-601 | Namdeo Singhania | Namdeo |
| B4-103 | Rajib Agarwal | RA |
| A6202 | UAK Samra | UAK |
| B1101 | Sourajodh Das | Sourajodh Das |
| D2-1103 | Kavita Tulsyan | Kavita |
| D2-604 | Sangita Sodhani | Sangita |
| A41304 | Rogan Singh Arora | Rogan Singh Arora |
| B3.201 | A. SARAWAGI | A. Sarawagi |
| C2-1002 | Vikas Gollibie | Vikas Gollibie |
| C2-703 | Aniketa Agarwal | A. Agarwal |

Date- 08/10/2024

| Flat Number | Name | Signature |
|-------------|--------------------|------------------|
| C2-102 | Anita Jana | Anita |
| C2-1101 | Sanjay Gargan | SBCA - |
| C2501 | Meenakshi Bhabha | M |
| C2-601 | Surekhi singh. | Singh - |
| C1-501 | Rishi Agrewal. | R. Agrewal. |
| A1-902 | Sumit Chhetri | Sumit |
| E2-602 | Shiv Kr Agarwal | Shiv |
| B/4201 | Bansubhai | Bansubhai |
| C-4-702 | Ramini Mr Mittal | Ramini Mr Mittal |
| A4-601 | Mani Kumari | Mani Kumari |
| C2-403 | Nandini | N.S |
| A3-1004 | Sudhin - Poddar | Sudhin |
| C3 603 | Komalikore Bagonia | Komalikore |
| C2 1302 | Shweta Bagonia | Shweta |
| A1-1003 | Nisha Nigamia | N.M |
| A1304 | Balbir Singh | Balbir |
| A41304 | Paramjeet Kaur | P |
| E1 403 | Ishika Maheshwari | Ishika |
| E1 403 | Vineet Maheshwari | Vineet |
| E2 100.3 | Ira Sarangi | Ira |
| B-E 303 | Biswajit Ganguly | Biswajit |
| A4-503 | D. BANERJEE | D. BANERJEE |

Date- 08/10/2024

| Flat Number | Name | Signature |
|-------------|-----------------------|--|
| E-2/1004 | Kunj Bihari, Mittal |  |
| BA 1103 | Narush Mittal | Narush |
| BA 1101 | Dipak Pradhan | Dipak |
| B41202 | Smitika anya | Smitika |
| BA 1102 | Atal Puriwal | Atal |
| E2801 | Leishor Damaw | Leishor |
| A4E21308 | Rakhi Harsh | RAKHI |
| C3 1101 | Raj K. Doshi |  |
| A2 901 | Rachna Gupta | Rachna |
| A2 904 | Madhu Bagla | MADHU |
| C8 204 | Manish Gupta | Manish |
| A5 903 | Ajay Gupta | Ajay |
| E1 503 | Shailash Bansal | Shailash |
| E1 902 | Ketan Bajoria | Ketan |
| E1 702 | Sandeep Palod | Sandeep palod |
| C8 1304 | Blusan Agarwal | Blusan |
| A5 1202 | Shivam Nathani | Shivam |
| A5 301 | Smelashis Chakraborty | Smelashis Chakraborty |
| A1-403 | Sanjay Kumar. | Sanjay |
| A11304 | Dilpreet Makhuja | D. Makhuja. |
| C4 502 | R. A. Modi |  |
| C4 503 | S. A. Mune |  |

- 3X -

Date- 08/10/2024

| Flat Number | Name | Signature |
|-------------|---------------------------------|------------------------|
| D2- 1204 | Minu Patwari | minu patwari |
| D2 103 | keshav kothari | <u>K. Kothari</u> |
| A3-1004 | Sarita Peddar | <u>Sarita</u> |
| C6-301 | Abhishek Kedia | Abhishek Kedia |
| E1-602 | Sa. Sankar | <u>Sa. Sankar</u> |
| E1-601 | Saral Mohata | <u>Saral Mohata</u> |
| E1-603 | Suyash Agaria | <u>Suyash Agaria</u> |
| B1-1103 | Deepak Acharya | Deepak Acharya |
| A1-604 | RAVI ACHARYA | Ravi Acharya, |
| C4501 | NIKAS AGARWAL | <u>Nikas</u> |
| E1-1004 | VIPUL Dhadak | V.P. |
| C8-401 | Abhinita Tibrewala. | <u>Abhinita</u> |
| A3-601 | Abhinita Manita Shah | Abhinita |
| C7-501 | Vivaan Agarwal | <u>Vivaan</u> |
| C7-404. | Pranav Agarwal | Pranav |
| C7-402 | Kamlesh Agarwal | Kamlesh |
| C8-401 | Satyanshyan Tibrewala | <u>Satyanshyan</u> |
| C8-401 | Shubham Tibrewala | Shubham |
| B2-501 | Arif Akmal | Arif |
| B2-501 | Arif Akmal | Arif Akmal |
| C1-603 | Raj Kumar Agarwal | Raj |
| C8-203 | Partha Sengupta. | <u>Partha Sengupta</u> |

Date- 08/10/2024

| Flat Number | Name | Signature |
|-------------|---|-----------------|
| C1-303 | Abha Singhania | AS |
| B5-1004 | Jyoti Agarwal | Jyoti |
| B4 101 | Jumendra Bhutoria | Jumendra |
| B5 203 | Rajni Jain | Rajni |
| E-2504 | Sajita Agarwal | Sajita |
| C8-1301 | Savita Chandra | S. Chandra |
| C8-1304 | PINKI AGARWAL | Pinky Agarwal |
| C7-304 | Suma Sraff | S. Sraff |
| B3-903 | Suman Sraff Suman Agarwal | Santosh Agarwal |
| E2-1101 | Nisha Jethi | N. Jethi |
| B-3901 | Sumita Agarwal | Sumita Agarwal |
| E-2 1204 | Rachana Jain | Rachana Jain |
| E2 1301 | Sweta Ladodia | Sweta Ladodia |
| E2 1002 | Vineet Khemka | Vineet |
| E1 404 | Nimul Outker. | Nimul |
| C3-601 | Mangalam Lakhota. | M. L. |
| C1-404 | Abhinandan Sharma | A. Sharma. |
| A5-802 | Bal Nishan Lakhota | B. Lakhota |
| B1-1201 | Sunil Agarwal. | S. Agarwal. |
| B1-802 | Gopal Shah. | G. Shah |
| C5-1301 | Sandeep Khanna. | S. Khanna |
| B4-601 | Sunil Daga. | S. Daga. |

-3X-

Date- 08/10/2024

| Flat Number | Name | Signature |
|-------------|-----------------------|----------------|
| C2 404 | Sukarita Choudhury | S. Choudhury |
| A1 1104 | RAJENDRA KR SHAH | R. Shah |
| AL-101. | SIDDHARTHA DASI | S. Dasi |
| Ab 1203 | Surendra Saw | S. Saw |
| A3-903 | Vikash Sharma | V. Sharma |
| D2-303 | Vinay K. Salma. | V. Salma |
| D-1-1005 | SURESH K. GOLUKA | S. Goluka |
| E-1-403 | Arum Maheshwari | A. Maheshwari |
| E-1-404 | Kusum Gupta | Kusum Gupta. |
| A-2-501 | Binduwan Prasad Bhatt | B. Bhatt |
| C8 901 | Pawan Gupta | P. Gupta |
| C8 804 | Ramen Bhakal | R. Bhakal |
| C-7-503 | KISHANJI LOHPUKA | K. Lohpuka |
| B4-402 | Laxmi Nanyan Malu | L. Nanyan |
| B4-403 | Sarad Malu | S. Malu |
| B4-404 | Dinesh Ramuka | D. Ramuka |
| A3-1303 | Vikash K Agarwal. | V. K. Agarwal. |
| A6-1103 | Vijay Shah | V. Shah. |
| B4-401 | Pankaj Sangneris. | P. Sangneris. |
| B3-701 | Pradeep Sihanika. | P. Sihanika. |
| C7-901 | Pradeep Kedia | P. Kedia. |
| B4-903 | Abhishek Poddar. | A. Poddar. |

Date- 08/10/2024




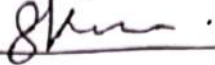



| Fiat Number | Name | Signature |
|-------------|------------------------|-------------|
| C2-1004 | SANGHAMITRA BANERJEE | S. Banerjee |
| D1-405 | Mahya Karmakar | H.K. |
| C4-104 | Jyoti Shaw. | J. Shaw |
| B3204 | Payal Dhanuka | P.D. |
| D1-802 | Neeta Banerjee | N.B. |
| C5-104 | Saisali Dasgupta Nandi | S.D. |
| A-5.1203 | Cradhu Maheswari | M/S |
| B-3904 | Sueta Daga | S.Daga. |
| A-31103 | . Meha Agarnal | M.A. |
| B-3802 | Renu MURKKA | R.M. |
| C-8203 | Selyani Dasgupta | S.D. |
| B-5404 | Alokamanda Deb. | A.D. |
| A-3904 | Suman Gupta | S.G. |
| E2-104 | NIPA MANDAL | N. Mandal. |
| C1-501 | Anjali Agawal. | A. Agawal. |
| C3-502 | AJOY KARRANIA | A.K. |
| C3-504 | Anjali Lalrani's | A.L. |
| A5.703 | S.K. Sengupta | S.K. |
| B3902 | Kamoh BASTAJ | K.B. |
| C-4704 | PRAVINKR MITTM | P.M. |
| C-4703 | RAMENKUM MITTM | R.M. |
| D-1902 | Bidhan Roy choudhury | B.R. |

- X -

Date- 08/10/2024

| Mat Number | Name | Signature |
|------------|--------------------|----------------|
| A1-1003 | Anand Kumar Nigam. | Anand |
| A3-704 | SAJAN AGARWAL | Sajan |
| D1-304 | Jayanta K. Das | Jayanta K. Das |
| C7-1201 | S. W. Tewari | Shew |
| E1-1001 | Sweta Ghosh | Sweta |
| C5-204 | Somnath Malik | Somnath Malik |
| E1-901 | Sunita Sikaria | S. Sikaria |
| E1401 | Anil Sonthalia | Anil Sonthalia |
| C3801 | Suman DOKANIA | Suman |
| E2-1301 | ABHISHEK CHODHA | Abhishek |
| C6/803 | Neha Agarwal | Neha |
| C-2-100 | Anup Khandelwal | Anup |
| C-6-502 | Sony Agarwal | Sony |
| C8-102 | Vincent Sarangi | Vincent |
| E2-1201 | Aokankar | Aokankar |
| C8-1303 | Vogesh Agarwal | Vogesh |
| M-606 | Priyanka Mishra | Priyanka |
| C5-1001 | Shanti Banerji | Banerji |
| C5-1303 | Praman Banerji | Praman |
| A4-1103 | Anita Agarwal. | Anita |
| C3-501 | Rekha DOKANIA | Rekha |
| C3-402 | Bela Devi DOKANIA | Bela |

Date- 08/10/2024

| Flat Number | Name | Signature |
|-------------|----------------------|--|
| C-2 101 | Abha Srimal |  |
| C-2 501 | Anber Bubna |  |
| C-2 702 | Vandana Agarwal | V. Agarwal |
| C-2 1101 | Soni Gagga | Soni Gagga |
| C-2-303 | Anupadel | Anupadel |
| C-2-301 | Sangitadas mahapatra |  |
| C-2-303 | Sunita Agarwal |  |
| C2-401 | Nidhi Didwania | <u>Nidhi Didwania</u> |
| C2-601 | Tooran S. ngl. | |
| C2-502 | Maiju Khaitan - | Maiju Khaitan |
| A2/902 | Jagdish Prasad Ked. | J.P. Ked. |
| D2/704 | Leena Beniranka | Beniranka. |
| E1/402 | Shrini Agarwal | S. Agl. |
| D2/704 | Alok K. Beniranka | A.B. |
| C2/402 | Kunj Rajgaria | K.R. |
| C2/503 | Chimoy Day |  |
| C-3 601 | Dolly Lakhotiya | D.L. |
| C-1 1101 | Ajay Agarwal | A. Agl. |
| A-4-802 | Sahana Khurana | Sh. |
| A-5-501 | Dipa Khurana |  |
| A-6.303 | Swapna Shree | |
| C-11 703 | Ramesh K. Mittal |  |

- 3* -

Date- 08/10/2024

| Flat Number | Name | Signature |
|-------------|------------------------------------|------------------|
| C2-1004 | LADASHI MANDER | |
| D-103 | Manusha Bucha | |
| D1-1003 | Saptarshi Goswami | Jayasree Goswami |
| B2-103 | Manjari Gupta | Manjari Gupta |
| C3-501 | Tarun Dokani | |
| C3-801 | Pravish Dokani | |
| A2 402 | Sudham BASAR | |
| C6-100 | Rajesh Singhani | |
| B2-601 | Kalith Agam | |
| B2-401 | Sami) Baidal | |
| A3-403 | Suevi Dhama | |
| A3 502 | Shradha Didwania | |
| C7-1001 | Sanjay Sontakkar | |
| B1-402 | Asha Dhanuka | Asha |
| B1-502 | Amit Kr. Dhanuka | |
| B2-901 | Biswanath Ghosh. | |
| B5-404 | Neelav Deb | |
| D2-403 | Simpel Goyal. | Simple goyel. |
| D1-201 | Ankit Agarwal | A. Agarwal |
| C1-401 | Santosh Baepla | S. Baepla |
| D2-404 | Kish Pawan Kr. Tibrewal | Tibrewal. |
| D2-404 | Kish Tibrewal | Kish. |

Date- 08/10/2024

| Flat Number | Name | Signature |
|-------------|----------------------|-------------------|
| D-1 505 | Shilpa Jain | Shilpa |
| D1 506 | Sureta Jaiswal | Sureta |
| AA-904 | Pai Gaurav Sonawane | Mahabub |
| C7-504 | Puja Caggan | Puja Caggan |
| C7-501 | Ruchi Agarwal. | Ruchi Agarwal |
| C4-801 | Ful Singh | Ful Singh |
| CT 503 | Sangita Loharwal | S. Loharwal |
| C8 301 | Aekone Barria | A |
| C7 301 | Sangita Kedia | S. Kedia. |
| C1-302 | Rinky Patwari | R.P. |
| B1-703 | Vijay Kumar Jha | Vijay Kumar Jha |
| B-1/704 | Chinmoy Bhattacharya | Chinmoy |
| A5-804 | ROHIT AGARWAL | Rohit Agarwal |
| A2-104 | P.K. Chatterjee | P.K. Chatterjee |
| E2-401 | KUNDAN KUMAR | Kundan |
| A5-1201 | KAKOLI KUNDU | Kundi Kundu |
| B1-601 | Mony Agarwal | Mony |
| B1-403 | VIVEK KUMAR GHOSH | Vivek Kumar Ghosh |
| D1.1305 | SOURABH KUMAR GHOSH | Sourabh |
| C6-104 | Jakshmi Agarwal | Jakshmi Agarwal |
| | | |
| | | |

=42-



Emami City Block-D1, EMAMI CITY, Golpark, West Bengal 700028, India

Latitude 22.629020° Longitude 88.417965°

LOCAL 13:23:51 GMT 07:53:51 TUESDAY 10.08.2024 ALTITUDE -27 METER



Emami City Block-D1, EMAMI CITY, Golpark, West Bengal 700028, India

Latitude 22.629136° Longitude 88.418129°

LOCAL 13:24:55 GMT 07:54:55 TUESDAY 10.08.2024 ALTITUDE -27 METER



Emami City Block-D1, EMAMI CITY, Golpark, West Bengal 700028, India

Latitude 22.628951° Longitude 88.418055°

LOCAL 13:23:33 GMT 07:53:33 TUESDAY 10.08.2024 ALTITUDE -27 METER

4/4



Emami City Block-D1, EMAMI CITY, Golpark, West Bengal 700028, India

Latitude 22.629083° Longitude 88.418110°

LOCAL 13:24:46 GMT 07:54:46 TUESDAY 10.08.2024 ALTITUDE -27 METER



BLOCK-B2, EMAMI CITY, Golpark, Kolkata, West Bengal 700028, India

Latitude 22.629179° Longitude 88.416201°

LOCAL 13:57:23 GMT 08:27:23 TUESDAY 10.08.2024 ALTITUDE -28 METER



BLOCK-B2, EMAMI CITY, Golpark, Kolkata, West Bengal 700028, India

Latitude 22.629246° Longitude 88.416209°

LOCAL 13:58:36 GMT 08:28:36 TUESDAY 10.08.2024 ALTITUDE -27 METER



BLOCK-B2, EMAMI CITY, Golpark, Kolkata,
West Bengal 700028, India

Latitude

22.629240°

Longitude

88.416217°

LOCAL 14:00:09

GMT 08:30:09

TUESDAY 10.08.2024

ALTITUDE -28 METER

BLOCK-B2, EMAMI CITY, Golpark, Kolkata,
West Bengal 700028, India

Latitude

22.629223°

Longitude

88.416238°

LOCAL 14:01:11

GMT 08:31:11

TUESDAY 10.08.2024

ALTITUDE -28 METER



BLOCK-B2, EMAMI CITY, Golpark, Kolkata,
West Bengal 700028, India

Latitude

22.629222°

Longitude

88.416205°

LOCAL 14:33:56

GMT 09:03:56

TUESDAY 10.08.2024

ALTITUDE -28 METER

Annexure R-7

DE - 241

DL - 08/10/24

Geologist
Regional Sub-Division No. -1117D
State Water Investigation Directorate
Government of West Bengal
Barasat, North 24 Parganas

Date - 08/10/2024

To,
The Officer Incharge
Dum Dum Police Station

Sir,

In reference to the actions u/s 10 of
GW Act 2005 that were intended to be
taken in Emami city as per NGT order
dated 1.10.2024 of O.A. 150-161/EZ/2024, the
following facts & figure are given below.

U/s 10g G.W Act 2005 three illegal borings
were supposed to be dismantled but only
one could be done, due to ^{hindrance} followed by
filed by the residence on humanitarian
ground for having no other source of
water. It is to be stated that actions
u/s 10j will be taken thereafter.

This is for your kind knowledge
& information please.

Thanking you.

Ref: This refers to
Dum Dum as
GDE No. 472/24
dl - 08/10/24

Chinnappa Roy
Geologist & Member
Secretary DLA, N24 Prg



P. Mondal
31

08/10/24



Geologist Barasat <geolswidnorth24pgs@gmail.com>

(no subject)

1 message

Secretary Emami <secretary.emamicityrwa@gmail.com>

Tue, Oct 8, 2024 at 10:37 AM

To: Geologist Barasat <geolswidnorth24pgs@gmail.com>

Cc: Superintending Geologist <sgswid@gmail.com>, Senior Geologist <sr.geologist.swid.ber.msd@gmail.com>, Niladri Naha <directorswid@gmail.com>

To

Dated :- 08/10/2024

The State Water Investigation Directorate

Office of the Geologist, Geological Sub-Division No. III/D

Water Resources Investigation & Development Department

2nd Floor, Jalasampad Bhawan

Barasat, North 24 Parganas

Representation for: - In compliance with the order dated 1st October 2024, issued by the National Green Tribunal, Eastern Zone Bench, Kolkata, under Original Application No. 161/2024/EZ.

Respected Sir/ Madam,**Dear Sir/ Madam,**

The respondent No. 14 is a resident of Emami City and the respondent No. 13, Emami City Association of Apartment Owners (herein after refer to as ECAAO) is established under the ambit of the West Bengal Apartment Ownership Act, 1972, has been taken handover of complex maintenance recently in 31st October, 2023 for proper maintenance and upkeep of the Emami City residential complex as situated at 2, Jessore Road, Dum Dum, Kolkata, WB 700028, after its construction was allegedly completed with all amenities and daily needs, such as fresh drinking water and garbage cleaning compacter, commitments, and sufficient water supply provision as per the all sanction plan including completion/Occupancy certificate for residents from South Dum Dum Municipality on 10th April, 2019 with Sanction Plan of Emami City Project, dated 10th August, 2018 issued by South Dum Dum Municipality, Nager Bazar, Kolkata and Revised Sanction Plan of Emami City Project issued by South Dum Dum of 1233 flats of G +13 stories 23 residential segment by the developer, Emami Realty Ltd.

The respondent No. 7 is the south Dum Dum Municipality, Nager Bazar, Kolkata (herein after referred to as SDDM) has issued an Occupancy Certificate Ref.: SDM/03/PWD-A/XVI, dated 10th April, 2019 with clearance for occupation with all amenities and implied healthy and fundamental right to life by providing sufficient drinking water for all residents for giving rightfully possession. Rather, SDDM while sanctioning the plan was aware of the requirement of life-giving water as well as the quantum required and the then Chairman has also sanctioned the 1110 kl per day water supply commitment for complex. But SDDM is fully responsible for supply of drinking water daily basis to the tax payers of Emami City. We don't need any tube well by stop all well SDDM assure the require water for 5000 residents of 1233 flats owners.

Emami Realty Ltd. (hereinafter referred to as ERL) is the company under whose aegis and initiative the said housing complex was constructed at the aforementioned location, and Oriental Sales Agency was the principle leasee of this leasehold property. NCLT, Kolkata Bench has sanctioned the Scheme of Arrangement for Demerger under Sections 230 to 232 read with Sections 52 and 66 of the Companies Act, 2013 with effect from 31st August 2021. Emami Really Ltd. consequently, became the lessee as well as developer of this property.

The developer had established the prestigious housing complex, namely Emami City, at the aforementioned location with state-of-the-art facilities and amenities with the promise of providing a luxurious and peaceful living to its residents, but they have not fulfilled their commitment during sales and after giving possession to all owners.

That, ref - National Green Tribunal, O.A No- 161/EZ/2024. Between smt. Jagriti Bhattacharya v. State of West Bengal , Dates on 14.08.2024, **On August 23, 2024**, through **Memo No. 182**, SWID notified us of their scheduled visit to Emami City for an inspection of our premises. Upon receipt of the memo, we extended our full cooperation.

That, **On August 27, 2024**, vide **memo number 184**, SWID directed us for furnishing the following information, which is provided below:-

- 1). Total number of bore wells (both functional and non-functional), presented in a chart format.
- 2). A copy of the site plan.

- 3). Details regarding rainwater harvesting.
- 4). Details of the Sewage Treatment Plant (STP).
- 5). Land records related to the project.
- 6). Detailed Project Report (DPR) containing information on the number of flats, residential units, and towers, along with their respective areas, and green belt area to justify water demand.

That, **On September 16, 2024**, we provided a response, furnishing all the required information along with valid copies of the relevant documents, which are enclosed below.

That, **On dated 02.09.2024 Vide Memo No 189, SWID issued show cause notice regarding not dismantling or sealing the illegal structures? And On September 25, 2024**, we provided a response clarifying our information.

That, **On 19th September 2024**, with Memo No: 211, the State Water Investigation Directorate (SWID) notified our Association, namely the Emami City Association of Apartment Owners, of our liability to pay a penalty of Rs. 20,000 for an unauthorized tube well connection within 15 days from the date of receipt of the latter. Furthermore, we were informed that they have been directed to cease the extraction of groundwater and to seize all bore wells, as per the orders issued by the National Green Tribunal, Eastern Zone Bench, Kolkata, under Original Application No. 161/2024/EZ.

That, In compliance with the order from the National Green Tribunal, Eastern Zone Bench, Kolkata, under Original Application No. 161/2024/EZ, a sum of ₹20,000 was paid **on 30th September 2024** through GRIPS system with payment ID: 300920242023420053, and via email, we confirmed the SWID, stating that we had complied with the requirements as per your request in memo number 211, to fulfil the SWID obligation.

That, State Water Investigation Directorate (SWID) taken direction by the National Green Tribunal, Eastern Zone Bench, Kolkata, under Original Application No. 161/2024/EZ, for submit the action taken report on dated **1st October 2024**.

We have obtained permission documents for two borewells and have applied for the regularization of an additional three borewells, for which we have also paid the requisite fees to the State Water Investigation Directorate (SWID).

In light of the above facts and circumstances, we earnestly request you to kindly comply with the order after Diwali. Given that this is currently the festive season, the apartments are fully occupied by residents and their visiting relatives.

We are committed to maintaining peace and are fully prepared to cooperate with the legal process. We respectfully request an extension of time until the conclusion of the Diwali festivities.

Thanks and Regards

Secretary

ECAAO

- X - *Annexure - R-9*

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. geolswidnorth24pgs@gmail.com

Memo No: 249

Date: 09.10.2024

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

Sub: Notice for illegal extraction of groundwater

Whereas Case OA 161/EZ/2024 between SMT. JAGRITI BHATTACHARYA VS STATE OF WEST BENGAL and its Order dated 20.09.2024, 30.09.2024 & 01.10.2024 it was found that you have violated the West Bengal Ground Water Resources (Management, Control & Regulation) Act, 2005 & Rules thereof 2006 and its subsequent Amendments. The Offence is regarding extraction of ground water without any permission from the Member Secretariat Office of the State Water Investigation Directorate District North 24 Parganas and whereas on and from the date of coming into force of the Act, no user shall sink any well fitted with electrical/ mechanical device for extracting or using ground water without obtaining a Permit issued by District Level Ground Water Resources Development Authority under section 7 of the said Act.

Hence, you are directed to immediately stop the extraction of groundwater by the mechanical device, for the illegally running tube wells, hence stop committing the offence with a satisfactory declaration in the office of the under signed within 7 days from the date of receipt of this letter and should obtain a "Permit" from the concerned authority of West Bengal Ground Water Resources (Management, Control & Regulation) Act, 2005, U/S 10 (j) of West Bengal Ground Water Resources (Management, Control & Regulation) Act, 2005 & Rules 2006. You are also imposed with a penalty of Rs 5000/- (Rupees Five Thousand) only each for 3 running tube wells hence amounting to Rs 15,000/- (Fifteen Thousand only). This is in reference to U/S 16 of West Bengal Ground Water Resources (Management, Control & Regulation) Act, 2005 & Rules 2006 there under.

The penalty should be deposited under the Head of account "0702-80-800-002-27" by T.R.:7 Challan in the Treasury link Bank or the Reserve Bank of India or through the online mode vide <https://wbifms.gov.in/GRIPS/> within 7days from the date of receipt of his letter.

Chinnuji Roy

Member Secretary
DLGWRA. District North 24 Parganas &
Geologist, Barasat, North 24 Parganas

Memo No: 249/1(5)

Date: 09.10.2024

Copy forwarded for necessary information please to

- 1) Director, SWID & Chairman SLA, Nirman Bhawan
- 2) District Magistrate & Chairman DLA, North 24 Parganas
- 3) ADM (Dev), North 24 Parganas
- 4) Superintending Geologist & Member Secretary SLA, Bikash Bhawan
- 5) Senior Geologist, Div III, Berhampore

Chinnuji Roy

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

-52-

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, Jalsampad Bhawan
Barasat, North 24 Parganas
E-mail.geolswidnorth24pgs@gmail.com

Memo No 250

Dated: 22.10.2024

To
 Emami City Association of Apartment Owners
 2, Jessore Road
 Kol – 700028

Sub: Submission of documents
Ref: Your Application Book No BID/A-126, Sl.No 13

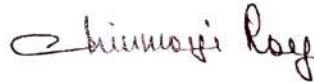
Dear Sir,

In the process of scrutinizing the above mentioned Application, it is found that the Form 1 is incomplete and the supporting documents given below are required for the processing of the application.

- Detailed Project Report
- Property Tax in the name
- Mouza map with the pin point location of the tube well
- Site plan with location of Tube well along with the coordinates
- Environmental Clearance for the Project
- Pump Receipts mentioning the pump capacity (HP)
- Log Charts including assembly drawing of tube wells
- Building Sanction Plan
- Minutes for the authorization of signing in the Form 1
- Electric Bill for the last month (if the meter box is installed exclusively for pump)

This is for kind your information and taking necessary actions.

Yours faithfully



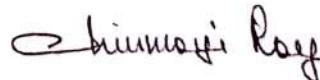
Member Secretary
 DLGWRA, District North 24 Parganas
 Geologist Geological Sub-Division III/D
 Barasat

Memo No 250/1 (2)


Dated: 22.10.2024

Copy forwarded for kind information and keeping records to:-

1. The District Magistrate & Chairperson, District Level Ground Water Resource Development Authority, North 24 Parganas.
2. The Additional District Magistrate (Dev), Barasat, District North 24 Parganas.



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


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, Jalsampad Bhawan
Barasat, North 24 Parganas
E-mail: geolswidnorth24pgs@gmail.com

Memo No 251

Dated: 22.10.2024

To
 Emami City Association of Apartment Owners
 2, Jessore Road
 Kol – 700028

Sub: Submission of documents
Ref: Your Application Book No BID/A-126, Sl.No 16

Dear Sir,

In the process of scrutinizing the above mentioned Application, it is found that the Form 1 is incomplete and the supporting documents given below are required for the processing of the application.

- Detailed Project Report
- Property Tax in the name
- Mouza map with the pin point location of the tube well
- Site plan with location of Tube well along with the coordinates
- Environmental Clearance for the Project
- Pump Receipts mentioning the pump capacity (HP)
- Log Charts including assembly drawing of tube wells
- Building Sanction Plan
- Minutes for the authorization of signing in the Form 1
- Electric Bill for the last month (if the meter box is installed exclusively for pump)

This is for kind your information and taking necessary actions.

Yours faithfully



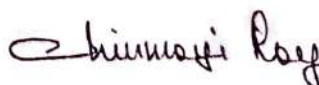
Member Secretary
 DLGWRA, District North 24 Parganas
 Geologist Geological Sub-Division III/D
 Barasat

Memo No 251/1 (2)

Dated: 22.10.2024

Copy forwarded for kind information and keeping records to:-

1. The District Magistrate & Chairperson, District Level Ground Water Resource Development Authority, North 24 Parganas.
2. The Additional District Magistrate (Dev), Barasat, District North 24 Parganas.



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

~~SX~~

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, Jalsampad Bhawan
Barasat, North 24 Parganas
E-mail.geolswidnorth24pgs@gmail.com

Memo No 252

Dated: 22.10.2024

To
 Emami City Association of Apartment Owners
 2, Jessore Road
 Kol - 700028

Sub: Submission of documents
Ref: Your Application Book No BID/A-126, Sl.No 17

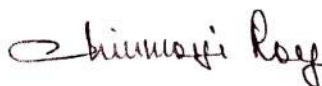
Dear Sir,

In the process of scrutinizing the above mentioned Application, it is found that the Form 1 is incomplete and the supporting documents given below are required for the processing of the application.

- Detailed Project Report
- Property Tax in the name
- Mouza map with the pin point location of the tube well
- Site plan with location of Tube well along with the coordinates
- Environmental Clearance for the Project
- Pump Receipts mentioning the pump capacity (HP)
- Log Charts including assembly drawing of tube wells
- Building Sanction Plan
- Minutes for the authorization of signing in the Form 1
- Electric Bill for the last month (if the meter box is installed exclusively for pump)

This is for kind your information and taking necessary actions.

Yours faithfully



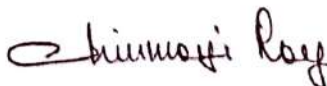
Member Secretary
 DLGWRA, District North 24 Parganas
 Geologist Geological Sub-Division III/D
 Barasat

Memo No 252/1 (2)

Dated: 22.10.2024

Copy forwarded for kind information and keeping records to:-

1. The District Magistrate & Chairperson, District Level Ground Water Resource Development Authority, North 24 Parganas.
2. The Additional District Magistrate (Dev), Barasat, District North 24 Parganas.



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

~~85~~

Government of West Bengal
Office of the Geologist, Geological Sub. Division-III/D
State Water Investigation Directorate
Water Resources Investigation & Development Department
2nd Floor, Jalaswampad Bhawan
Barasat, North 24 Parganas
E-mail: geolswidnorth24pgs@gmail.com

Memo No: 254

Date: 23.10.2024

To,
 Mr. Mahadeb Dev
 Emami City Association of Apartments Owners
 2, Jessore Road
 Kolkata – 700028

Sub: Notice for illegal extraction of groundwater

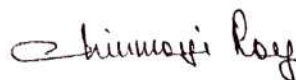
Ref: Memo 249 dt 09.10.2024 and mail dated 13.10.2024 from Secretary Emami

Dear Sir,

As per your declaration in mail dated 13.10.2024 that you are not making use of the 3 (three) bore wells in question, the undersigned will visit to your site on 25.10.2024 to confirm the same. It is to be stated that necessary documents supporting the confirmation for not using the well or any extraction is made may also be asked for.

If otherwise, actions will be taken under West Bengal Ground Water Resources (Management, Control & Regulation) Act, 2005.

In continuation it is to be stated that the penalty notice dated 09.10.2024 is still waited which will incur a second offence.



Member Secretary
DLGWRA, District North 24 Parganas &
Geologist, Barasat, North 24 Parganas

Date: 23.10.2024

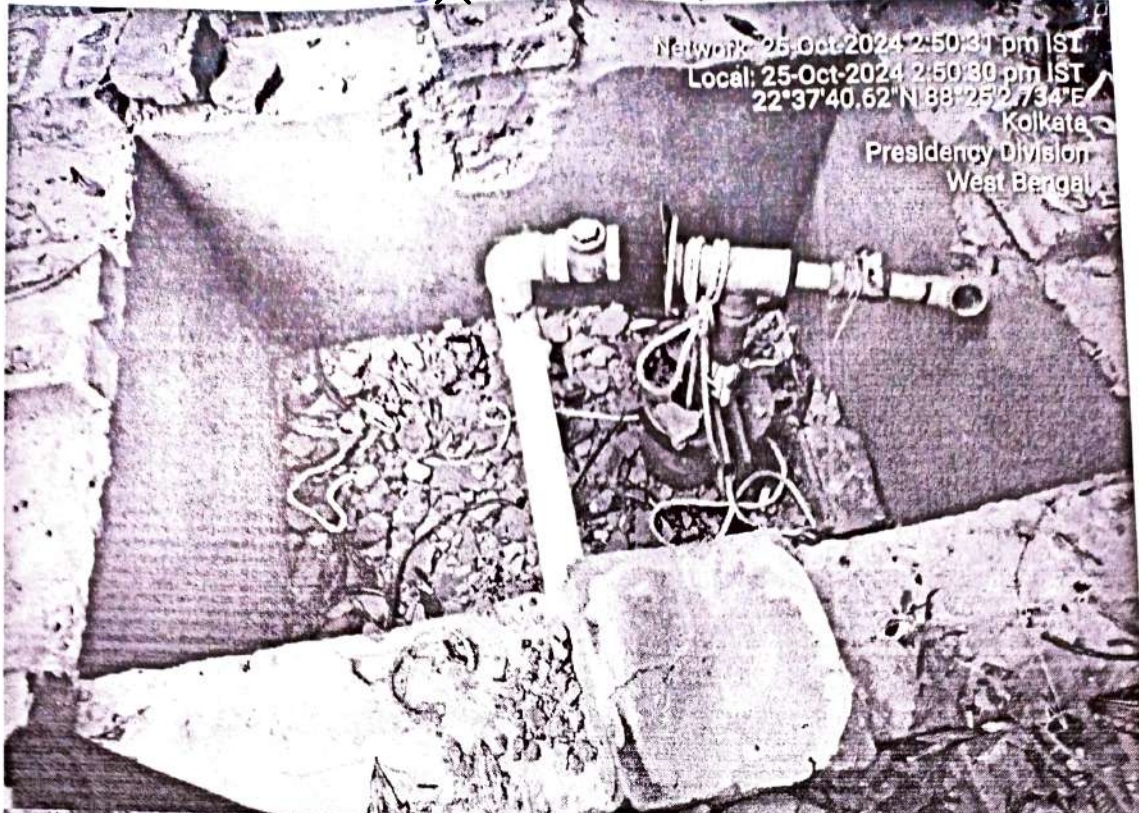
Memo No: 254/1(3)

Copy forwarded for necessary information please to

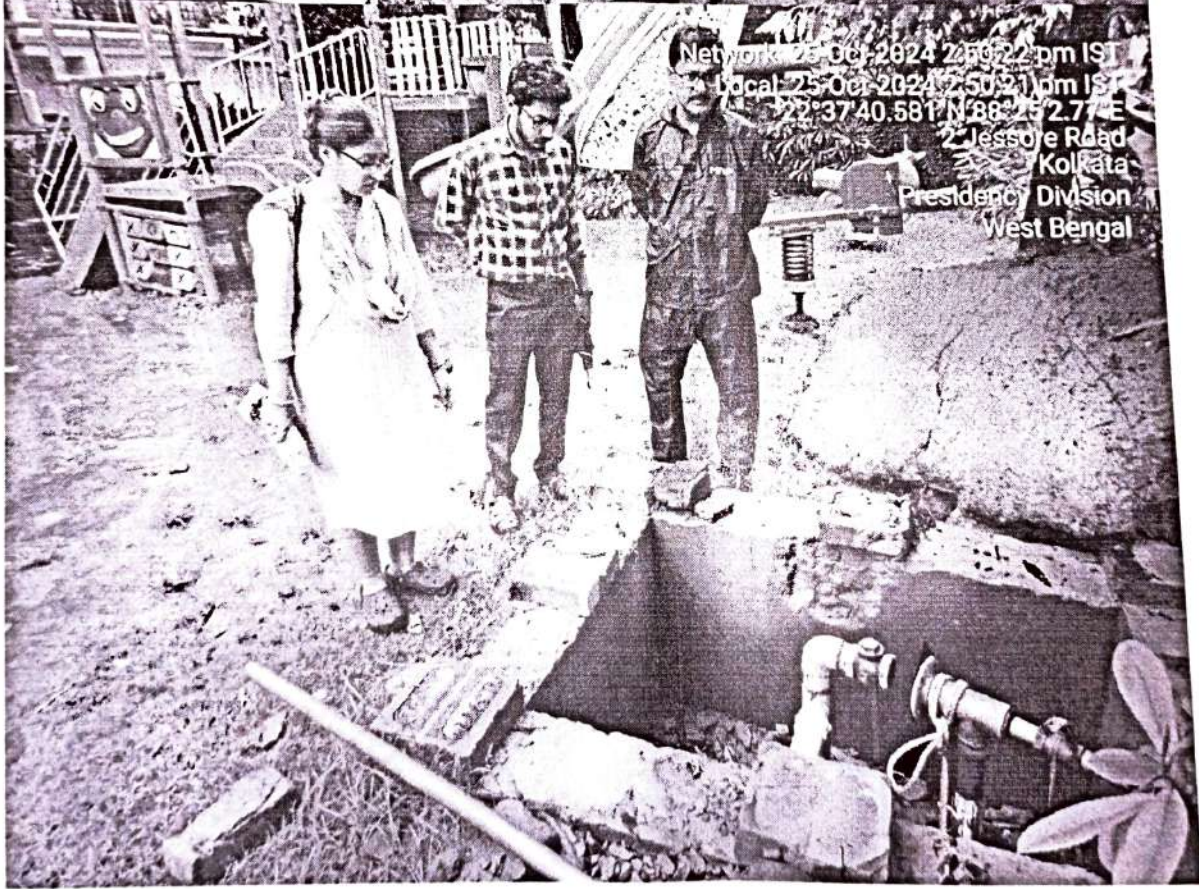
- 1) Director, SWID & Chairman SLA, Nirman Bhawan
- 2) Superintending Geologist & Member Secretary SLA, Bikash Bhawan
- 3) Senior Geologist, Div III, Berhampore



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

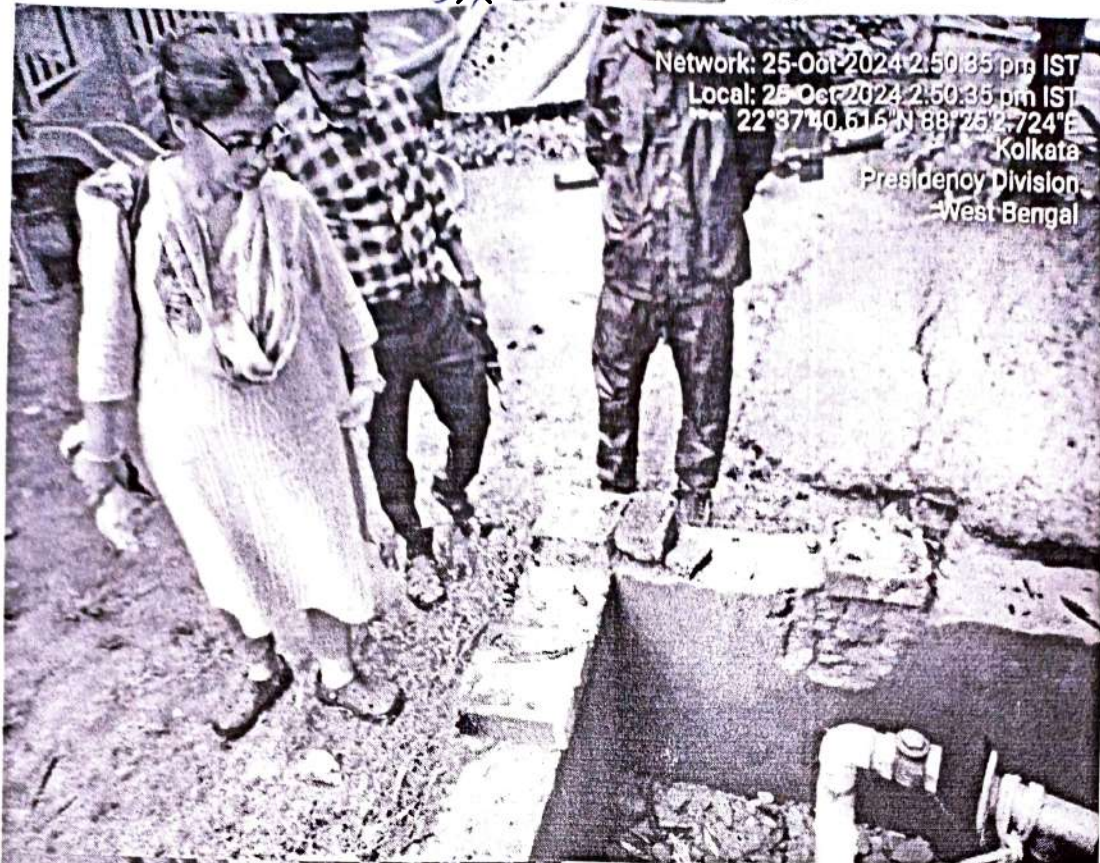


Network: 25-Oct-2024 2:50:31 pm IST
Local: 25-Oct-2024 2:50:30 pm IST
22°37'40.62"N 88°25'2.734"E
Kolkata
Presidency Division
West Bengal



Network: 25-Oct-2024 2:50:22 pm IST
Local: 25-Oct-2024 2:50:21 pm IST
22°37'40.581"N 88°25'2.77"E
2, Jessor Road
Kolkata
Presidency Division
West Bengal

→ 5X R-12 → OK



Network: 25-Oct-2024 2:50:35 pm IST
Local: 25-Oct-2024 2:50:35 pm IST
22°37'40.616"N 88°25'2.724"E
Kolkata
Presidency Division
West Bengal



Network: 25-Oct-2024 2:55:48 pm IST
Local: 25-Oct-2024 2:55:47 pm IST
22°37'24.1"N 88°24'58.079"E
Kolkata
Presidency Division
West Bengal

25.10.24

JK+ - 248 dt - 25.10.24 ^{Approved -} R-1288

- X8 -

Date: 25/10/2024

Respected Madam,

As per our ongoing communication, there are questions on three bore-wells in Emami City as there are approvals available for two other bore-wells (Permit No. P1407019002480000001TSE & P1407019002970000001TSE).

You have already dismantled one bore-well in Emami City complex on 8th October 2024 and you have verified today (25th October 2024) that we have dismantle one additional bore-well by ourselves. Please note that the one bore-well is not in operational condition.

We will not be in position to allow you to stop any further bore-well operation as we have approvals for two of the operational bore-wells and humanitarian ground as residents will be severely affected and we are already facing as severe water scarcity due to three non-operational tubewells out of five structures. On an average ten (10) water tankers has to be ordered to fulfill the residents' requirements. We will furnish the invoice details as we get from the supplies.

Thanking you,

Emami City Residents

| Sl. No. | Name | Falt No. | Signature |
|---------|------------------|----------|---------------|
| 1. | SHANIT MANDAL | CS-804 | Shanit Mandal |
| 2. | SANJAY KUMAR | A1-402 | Kumar |
| 3. | NIRAJ AGARWAL | CU-501 | Agarwal |
| 4. | Mahadeb Deb | BS-401 | Deb |
| 5. | Pratik Agarwal | B1-1002 | Agarwal |
| 6. | Adish Marpuia .. | B3603 | Marpuia |
| 7. | ANIL AGARWAL | C8-1001 | AN |
| 8. | Mamun Agarwal | B5-1004 | Agarwal |
| 9. | Palash Gupta | B4-701 | Gupta |
| 10. | Arun Mahesh | E1-404 | Mahesh |
| 11. | Sandeep Agarwal | C4-603 | Sandeep |
| 12. | SANJAY Das | C6-403 | Sanjay |
| 14. | Melba Kumar | B1-1304 | Melba Kumar |
| 15. | Ashok K. Banji | C7-702 | A.K. Banji |



Geologist Barasat <geolswidnorth24pgs@gmail.com>

Notice for action us 10

4 messages

Geologist Barasat <geolswidnorth24pgs@gmail.com>

Mon, Oct 7, 2024 at 7:10 PM

To: Niladri Naha <directorswid@gmail.com>, Superintending Geologist <sgswid@gmail.com>, Senior Geologist <sr.geologist.swid.ber.msd@gmail.com>, Debatri Bagchi Roy <Sr.geolswiddpc@gmail.com>

Pfa

Notice for action taken _1072024_241007_181853.pdf
373K

Geologist Barasat <geolswidnorth24pgs@gmail.com>

Mon, Oct 7, 2024 at 8:42 PM

To: secretary.emamicityrwa@gmail.com

----- Forwarded message -----

From: Geologist Barasat <geolswidnorth24pgs@gmail.com>

Date: Mon, 7 Oct, 2024, 7:10 pm

Subject: Notice for action us 10

To: Niladri Naha <directorswid@gmail.com>, Superintending Geologist <sgswid@gmail.com>, Senior Geologist <sr.geologist.swid.ber.msd@gmail.com>, Debatri Bagchi Roy <Sr.geolswiddpc@gmail.com>

Pfa

Notice for action taken _1072024_241007_181853.pdf
373K

Secretary Emami <secretary.emamicityrwa@gmail.com>

Sun, Oct 13, 2024 at 10:02 PM

To: Geologist Barasat <geolswidnorth24pgs@gmail.com>

Cc: Niladri Naha <directorswid@gmail.com>, Superintending Geologist <sgswid@gmail.com>, Senior Geologist

<sr.geologist.swid.ber.msd@gmail.com>, Debatri Bagchi Roy <Sr.geolswiddpc@gmail.com>, "rom: PRESIDENT EMAMI" <president.emamicityrwa@gmail.com>

To,
Chinmoyi Roy
Geologist & Member Secretary
Office of the Geologist, Geologist Sub. Division -III/D
State Water Investigation Directorate
Water Resource Investigation & Development Department
2nd Floor, Jalaswampad Bhawan
Barasat, North 24 Parganas, WB-700124
E-mail : geoloswidnorth24pgs@gmail.com

Sub: Response to Memo No.249 dated 09.10.2024

Ref: National Green Tribunal, O.A No-161/EZ/2024, between Smt. Jagriti Bhattacharya vs, State of West Bengal and order dated 20.09.2024, 30.09.2024 & 01.10.2024

Respected Madam,

Reference may be made to your Memo No-211 dated 19/09/2024 and Memo No-215 dated 20/09/2024.

Vide your memo no-211 dated 19/09/2024, you directed us to seek permit for the borewells in question and vide memo no-215 dated 20/09/2024 you directed us to visit on 23/09/2024. Accordingly we visited your office on 23/09/2024 and met you. We collected Form-1 from your office and submitted three numbers of Form-1 (sr. no. 13,16 and 17) duly filled along with a copy of e-challan (copy enclosed) of requisite amount and other required documents to your office on 27/09/2024. The same was conveyed to you on 27/09/2024.

We also paid a penalty of Rs.20000/- with GRIPS Payment ID: 300920242023420053 on 30th September 2024 (copy enclosed). Therefore we complied with your direction contained in memo no-215 dated 19/09/2024.





As per direction contained in your memo no-249 dated 09/10/2024 we do hereby declare that we are not making use of three bore wells in question, one of which has already been dismantled by your team on 08/10/2024 during your visit to Emami City.

Please help to process and permit these applications with priority so that we can get permission by seven days; otherwise, residents will face a serious water crisis as the water supply from the local municipality (SDDM) is only 10% of total requirements, and they have violated the provision of sufficient water in place of tube wells, which are fundamental rights under Article 21 of the Indian Constitution. If SDDM starts supplying the promised quantity of water as per the memo no. SDM/0819/XXIV dated July 24, 2017, then we do not need the underground water.

Vide your memo no-249 dated 09/10/2024 you have once again directed us to seek permission and pay a penalty of Rs.15000/-. Please note, we have already paid Rs.20000/- as penalty with GRIPS Payment ID: 300920242023420053 on 30th September 2024 in terms of instruction vide Memo No. 211 dated 19.09.2024. Please suggest, if we have to revise this payment as per the new instruction in Memo No. 249 dated 09.10.2024

Thanking you
Secretary,
Emami City Association of Apartment Owners
[Quoted text hidden]

4 attachments

-  **challan application 16.pdf**
85K
-  **challan Application 17.pdf**
85K
-  **challan_application 13.pdf**
85K
-  **challan_300920242023398571-Penalty.pdf**
85K

Secretary Emami <secretary.emamicityrwa@gmail.com>
To: Geologist Barasat <geolswidnorth24pgs@gmail.com>

Fri, Oct 25, 2024 at 4:24 PM

To
Geologist & Member Secretary
Office of the Geologist, Geologist Sub. Division -III/D
State Water Investigation Directorate
Water Resource Investigation & amp; Development Department
2nd Floor, Jalaswampad Bhawan
Barasat, North 24 Parganas
E-mail : geoloswidnorth24pgs@gmail.com

Subject: Reply to the Memo#249 dated 09.10.2024-Payment of Imposed Penalty

Madam,

10/27/24, 11:50 PM

Gmail - Notice for action us 10

We have been instructed to pay a penalty of Rs. 15000/- through your memo#249 dated 09.10.204. As communicated to you on 1st October 2024 at 8:30 PM, we have made an additional payment of Rs 20000/- due technical error with following payment information. Also attached the payment receipt for your reference.

GRIPS Payment ID: 300920242023398571

GRN: 192024250233985738

BRN: 7630044554146

BRN Date: 30/09/2024 14:40:04

Gateway Ref ID: 49587709


Amount: Rs. 20000/-

The excess payment of Rs.20000/- made vide GRIPS Payment ID: 300920242023398571 may please be adjusted against the penalty of Rs.15000/- imposed vide memo no, 249 dated 09.10.2024 from the above-mentioned payment.

We will be obliged to you if you can inform us on the process to get a refund of the remaining additional payment of Rs. 5000/-.

Thanking you
Secretary,
Emami City Association of Apartment Owners

On Mon, Oct 7, 2024 at 8:43 PM Geologist Barasat <geolswidnorth24pgs@gmail.com> wrote:
[Quoted text hidden]

 challan_300920242023398571.pdf
85K



Geologist Barasat <geolswidnorth24pgs@gmail.com>

Subject: Reply to the Memo#254 dated 23.10.2024

1 message

Secretary Emami <secretary.emamicityrwa@gmail.com>

Mon, Oct 28, 2024 at 9:41 PM

To: Geologist Barasat <geolswidnorth24pgs@gmail.com>

Cc: Senior Geologist <sr.geologist.swid.ber.msd@gmail.com>, Niladri Naha <directorswid@gmail.com>, Superintending Geologist <sgswid@gmail.com>, "rom: PRESIDENT EMAMI" <president.emamicityrwa@gmail.com>

Date: 28.10.2024

To
Geologist & Member Secretary
Office of the Geologist, Geologist Sub. Division -III/D
State Water Investigation Directorate
Water Resource Investigation & amp; Development Department
2nd Floor, Jalaswampad Bhawan
Barasat, North 24 Parganas
E-mail : geoloswidnorth24pgs@gmail.com

Subject: Reply to the Memo#254 dated 23.10.2024

Madam,

Please refer to your memo no 249 dated 09/190/2024 and our letter of declaration dated 13/10/2024 in response to that we. thereby, declared that we are not using three borewells in question and these borewells are non-operational. One of the borewells was dismantled by your team during your visit to Emami City on 08/10/2024. Rest two borewells have been isolated electrically and mechanically and are not in use. You have already verified during your visit to Emami City 25.10.2024. that we have dismantled one additional bore-well by ourselves and there is another non-operational bore-well. So, the three bore-wells/ tube wells are not in use as on 25.10.2024.

This is further stated that we may please be allowed to use the remaining two numbers of borewell, on humanitarian ground, for which we have approval, issued by your office in 2012 and 2014.

Water is our fundamental right to life under Article 21. We are already facing acute water shortage due to the closure of three borewells. This shortfall of water is being met by purchasing water from private tankers and SDDM(Bills enclosed). Any further disruption of water supply due closure of the borewell will impact the lives of 5000 residents of Emami City.

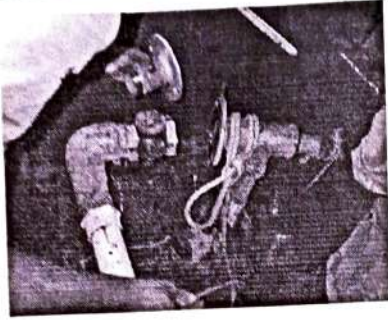
Thanks and Regards

Secretary
ECAAO**9 attachments**Borewell 2.jpg
104K

→ 63 ←



Borewell 3.jpg
203K



Borewell 4.jpg
90K




Borewell 5.jpg
147K



Tanker.jpg
128K

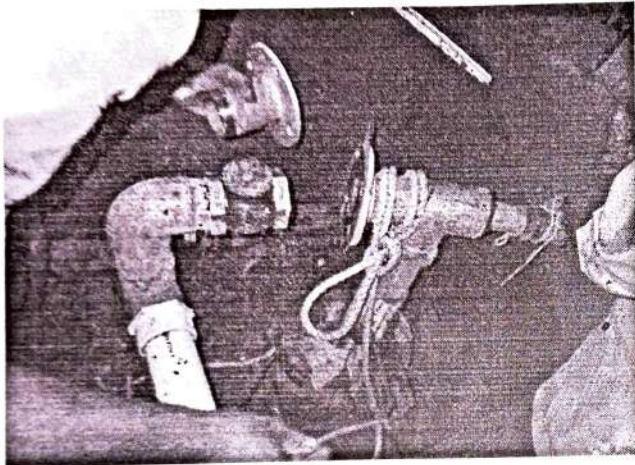
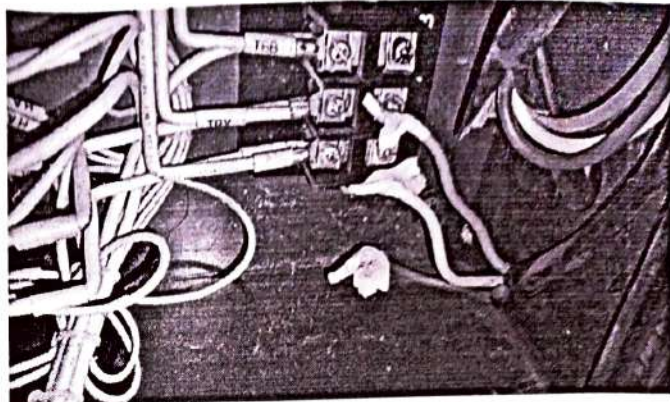
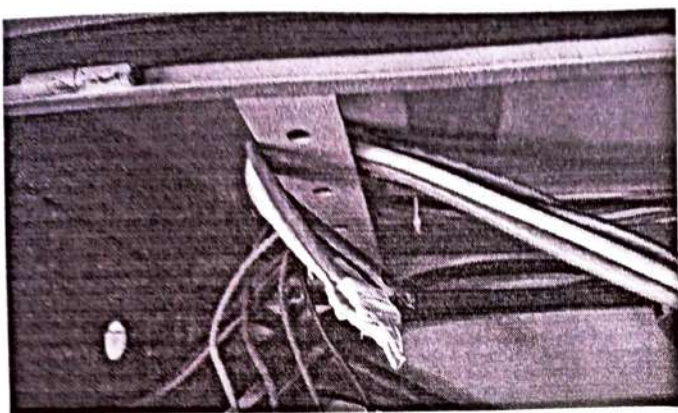
 **Bill 201024.pdf**
89K

 **Bill 231024.pdf**
89K

 **Bill 251024.pdf**
89K

 **Bill 281024.pdf**
90K

- 45 -





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

To
The District Magistrate
New Administrative Building, Barasat
District: North 24 Parganas- 700124,

ADM(D)
Geologist SWID
29/10/24
Dated : 29.10.24

Subject: Serious water crisis at Emami City, 2, Jessore Road for the stop of three Borewell/Tube wells by SWID with reference to NGT Application O.A No-161/EZ/2024.

Respected Sir,

We, on behalf of Emami City Association of Apartment Owners of housing complex "EMAMI CITY," at the premises of 2 Jessore Road, P.O. & P.S. Dum Dum, Kolkata, 700028 Holding No. 380 (N), to inform you that with reference to the water supply of residential complex of 1233 flat owners and 5000 occupants was the responsibility of Developer before sale the property and SDDM has also responsible to check the sufficient drinking water supply provision before sanction the Building permit as well as occupancy certificate for the residential project.

Since 2019 onwards, residents have been living in the complex and we observed that the required water is getting fulfilled through the existing tube wells/ bore wells structures set up by the developer. No fresh water supply was made by SDDM till the end of the year 2023.

It seems ERL applied for a municipal water connection for the Emami City complex sometime in 2017 but there was no subsequent follow-up or reminder letters from your side although the residents were suffering from the unhealthy water supplied from the bore-well in the premises put up during the construction period as the water contained high iron and other impurities causing health issues to the residents.

In early March 2022 when the residents faced a severe water crisis, local councilors and ERL



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

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

info.emamacityrwa@gmail.com • president.emamacityrwa@gmail.com

helped us by providing daily 100 water tankers to address the pressing problem of a water shortage. We then met some of the residents at Emami City and assured to resolve the

various problems including the issue of municipal water supply faced by the residents within 45 days. You then also met the local councilors and submitted a fresh application for immediate water supply to the Emami City complex on April 1, 2022.

It transpires that in response to the application for municipal water supply, the Municipality had issued a demand letter dated 13.05.2022 for Rs.38,73,500 to ERL for municipal water supply and even arrangement for a demand draft in favour of the Municipality on 19.05.2022. However, the same was not accepted by the Municipality as the tax dues were not paid and per their demand Tax amount of Rs.1,28,25,253 towards property tax was paid only on 28.07.2022

SDDM water supply sanction MEMO No. SDM/0819/XXIV, dated 24th July 2017, we were supposed to get water supply of 1100 KLD on a daily basis for our housing complex "EMAMI CITY," and accordingly SDDM issued the occupancy certificate on 10.04.2019. However, to date, we have not got sufficient water connection, due to which the required water for domestic consumption was being made through the borewell constructed during project work by the developer, Emami Realty Limited, which was stopped by three borewells by SWID.

That, ref - National Green Tribunal, O.A No- 161/EZ/2024. Between smt. Jagriti Bhattacharya v. State of West Bengal, Dates on 14.08.2024, On August 23, 2024, through Memo No. 182, SWID notified us of their scheduled visit to Emami City for an inspection of our premises. Upon receipt of the memo, we extended our full cooperation.



president@emamacityrwa.com
vice.president@emamacityrwa.com



secretary@emamacityrwa.com
treasurer@emamacityrwa.com



EMAMI CITY ASSOCIATION OF APARTMENT OWNERS

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2 Jessore Road, P.O. & P.S. : Dum Dum, Kolkata - 700 028
Info.emamcityrwa@gmail.com • president.emamcityrwa@gmail.com

That, **On August 27, 2024**, vide **memo number 184**, SWID directed us for furnishing the following information, which is provided below:-

- 1). Total number of bore wells (both functional and non-functional), presented in a chart format.
- 2). A copy of the site plan.
- 3). Details regarding rainwater harvesting.
- 4). Details of the Sewage Treatment Plant (STP).
- 5). Land records related to the project.
- 6). Detailed Project Report (DPR) containing information on the number of flats, residential units, and towers, along with their respective areas, and green belt area to justify water demand.

That, **On September 16, 2024**, we provided a response, furnishing all the required information along with valid copies of the relevant documents, which are enclosed below.

That, **On dated 02.09.2024** Vide **Memo No 189**, SWID issued show cause notice regarding not dismantling or sealing the illegal structures? And **On September 25, 2024**, we provided a response clarifying our information.

That, **On 19th September 2024**, with **Memo No: 211**, the State Water Investigation Directorate (SWID) notified our Association, namely the Emami City Association of Apartment Owners, of our liability to pay a penalty of Rs. 20,000 for an unauthorized tube well connection within 15 days from the date of receipt of the latter and we have paid penalty 29th Sept, 2024.

That, In compliance with the order from the State Water Investigation Directorate (SWID) under Original Application No. 161/2024/EZ, a sum of ₹20,000 was paid **on 30th September 2024** through GRIPS system with payment ID:



R-16-014

+91 33 4063 5170

298

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.emamacityrwa@gmail.com • president.emamacityrwa@gmail.com

300920242023420053, and via email, we confirmed the SWID, stating that we had complied with the requirements as per your request in memo number 211, to fulfil the SWID obligation.

That, On **1st October 2024**, SWID submitted before the Hon'ble Court of the Green Tribunal, Eastern Zone, that EMAMI had failed to comply with the imposed penalty. It was requested that the Court take strict action, including the immediate seizure of the borewell. However, SWID provided false information, thereby misleading the Court to gain undue attention in this matter.

That, On **10th October 2024**, officials from SWID visited Emami City and seized the borewell.

In light of the aforementioned submissions, it is respectfully prayed that We have obtained permission documents for two borewells and have applied for the regularization of an additional three borewells, for which we have also paid the requisite fees to the State Water Investigation Directorate (SWID) and we have fully complied with all MEMO and directives issued by the SWID. We have also paid the penalties levied by the SWID. We kindly request that appropriate directions be issued to SWID to regularize the operation of the three borewells.

Yours faithfully,

President
Emami City Association of Apartment Owners

Encl : As above.

✉ president@emamacityrwa.com
vice.president@emamacityrwa.com

✉ secretary@emamacityrwa.com
treasurer@emamacityrwa.com

Andree - R-17

- 69 -

Office of the
 24 PGS.
 254
 APPLICANT
 30/10/24

30/10/24

To
 The Geologist & Member Secretary, DLA,
 Jelasampad Bhawan, (2nd floor)
 Barasat, North 24 - Parganas
 Kolkata - 700 0124

Sub: Submission of Form I BID/A/126 S/N No. 14
 and BID/A/126 S/N No. 15 for name change of existing
 Permit No. P-140701900248000001TSE and
 No. P-140701900297000001TSE.

Respected Madam,

Kindly acknowledge receipt of two Form I
 subject above for name change and regularise the
 same with immediate effect.

Thanking you

Yours faithfully

M. S. Datta
 President 30/10/24

Emami City Association of Apartment Owners

X

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)

ACTION TAKEN REPORT IN THE
FORM OF AFFIDAVIT ON
BEHALF OF THE RESPONDENT
NUMBER 06, DIRECTOR, STATE
WATER INVESTIGATION
DIRECTORATE, WEST BENGAL.

SIBOJYOTI CHAKRABARTI

Advocate

For The State of West Bengal

Email: subho.advocate@gmail.com

(M): 9007035534.

30 OCT 2024