



M. Madhab Sub

President
Emami City Association of Apartment Owners



BEFORE THE NATIONAL GREEN TRIBUNAL,

EASTERN ZONE BENCH, KOKATA.

Original Application No.161 of 2024/EZ

IN THE MATTER OF:

Jagriti Bhattacharya

-VS -

.....Applicant

State of West Bengal & Ors

.....Respondent(s)

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Mahadeb Sub

President

Enami City Association of Apartment Owners



3	A Copy of the Letter dated on 12/03/25 of the answering respondent.	B	8
4	A Copy of the water supply details from SDDM on dated 1-04-25 to 30-04-25	C	9

SANDIP ROY

ADVOCATE

7A, KIRON SHANKAR ROY ROAD,

KOLKATA-700001

X

Mahadev Deb
President
Emami City Association of Apartment Owners



BEFORE THE NATIONAL GREEN TRIBUNAL,

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Jagriti Bhattacharya

-VS -

.....Applicant

State of West Bengal & Ors

BEFORE THE NOTARY PUBLIC
BARASAT NORTH 24 PARGANASRespondent(S)

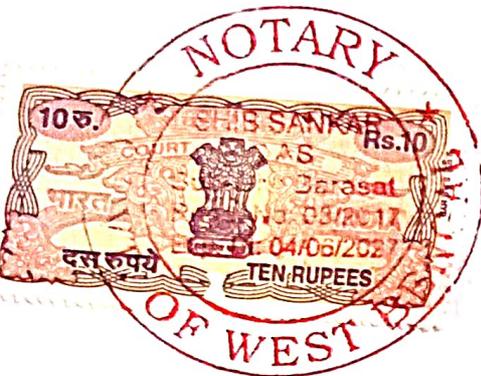
Counter Affidavit on behalf of respondent no.13, Emami City

Apartment Owners Association & Respondent No.14 Mahadev Deb

to the Affidavit of Respondent No.9 affirmed on 1/05/25

I Sri Mahadev Deb, son of Late Hem Chandra Deb, aged about 68 years by faith Hindu, residing at Emami City, Flat No.B-5-404, 2 no. Jessore Road, Kolkata - 700028, do hereby solemnly affirm and say as follows;-

1). I say that I am Respondent no.14 individually a owner of a single Flat at Emami City and there is no cause of action in related in this instant Application



Sl. No. 4392 of 2025
Date 05 MAY 2025

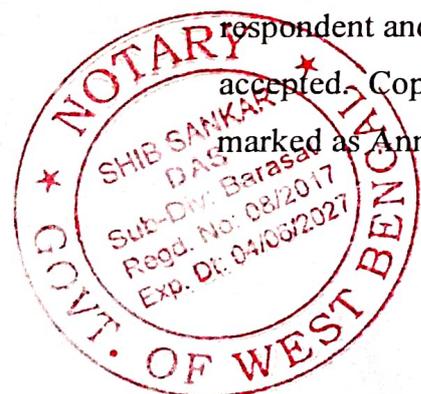
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Mohadeb Deb
 President
 Emami City Association of Apartment Owners



and I am the president of Emami City Apartment Owners Association that is respondent no.13 in this instant Application.

- 2). I say that the Affidavit -in- opposition on behalf of the Respondent no.6 , affirmed on 19 /09/24 corroborates the fact that two borewells have permit in the name of Oriental Sales Agencies India Pvt Ltd.
- 3). I say that in letter dated 12/11/24 the respondent no.13 submitted before the Geologist & Member Secretary Office of the Geologist, geologist Sub" Division -III/D State Water Investigation Directorate, the details of r regularization of three {3} borewells and submission of two {2} forms for the name change which has already been permitted and accordingly submitted by the respondent to SWID on September 27,2024 and October 30,2024. Copy of the letter dated 12/11/24 is annexed as Annexure P/1 with the affidavit of the answering respondent affirmed on 21st December 2024.
- 4). At the cost of repetition I say that the residents of Emami City Apartment Owners Association are facing severe water crisis as there is insufficient supply of municipal water in the said Apartment, the water crisis is affecting 5,000 residents across 1,233 flats.
- 5). I say that State Water Investigation Directorate (SWID), Government of West Bengal, vide memo no. 78, dated 11/02/25, SWID have given permission and approved two borewells out of the three applications of the answering respondent and the name transfer application of the answering respondent is also accepted. Copy of the letter no.78 dated 11/02/25 is annexed herewith and marked as Annexure A with this Affidavit.





Mahadeb Deb
President
Emami City Association of Apartment Owners

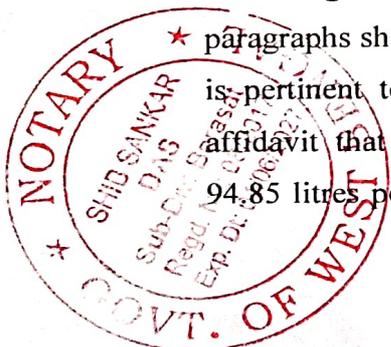
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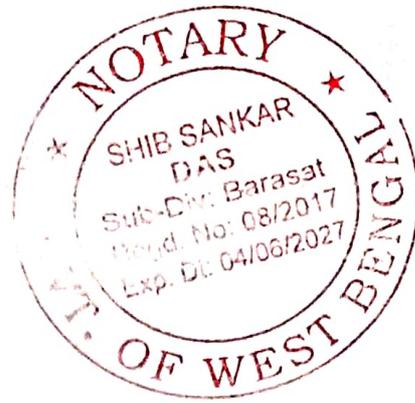
6). I say that there were five borewells out of which one borewell is defunct and one borewell was sealed by the State Water Investigation Directorate (SWID), as per the memo no.78 dated 11/02/25 (Annexure A) there are permissions for all four borewells, therefore the borewell that was sealed by State Water Investigation Directorate (SWID), should be opened by the SWID so that to some extent the residents of Emami City Apartment Owners Association facing severe water crisis may get some relief.

7). I say that the answering respondent through letter dated 12/03/25 have requested State Water Investigation Directorate (SWID), to commence the operation of the sealed borewell in the light of the approvals provided by the SWID. Copy of the Letter 12/03/25 of the answering respondent is annexed herewith and marked as annexure B.

8). Now dealing with the said Affidavit , I say that with regard to paragraphs 1 and 2 are matter of record, save and except what are matters of record and/or specifically admitted by the answering Respondent hereinafter all other allegations contained in the said paragraphs shall be deemed to have been denied by the answering respondent

9). With regard to paragraph no. 4, 5,6 & 7 of the said Affidavit, I say that save and except what are matters of record and/or specifically admitted by the answering Respondent hereinafter all other allegations contained in the said paragraphs shall be deemed to have been denied by the answering respondent. It is pertinent to mention here that Respondent Number 7 stated in the said affidavit that the South Dum Dum Municipality is obtaining water at the rate of 94.85 litres per capita per head per day in that event Respondent no.13 should





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receive 94.85 Litres X 5000 (residents of Emami City)= 4,74250 KL per day in total, whereas Respondent no.7 is actually supplying water to Respondent no.13 (Emami City) as per Record @ 28.15 Ltr. X 5,000(Member) = 1,40,750 Ltr. In total , that is much less than the total quantity (i.e.4,74250 KL) to be supplied by the Respondent no.9. A Copy of the water supply details from SDDM on dated 1-04-25 to 30-04-25 is annexed herewith and marked as annexure C.

10). I say that Respondent no.9 should supply at least 94.85 litres per capita per head per day to the residents of respondent no.13, the total quantity being 4,74,250 KL per day in accordance with the water received by the respondent no.9 as stated in the said Affidavit.

11). That the statements made in paragraphs 1 & 9 are true to my knowledge, and those made in paragraph 2, 3, 4, 5, 6, 7, 8, 10 are my humble submissions before this Hon'ble Court.

Prepared in my office

Shih Sankar Das
05/05/2025

Mahadeb Deb

DEPONENT
President

Emami City Association of Apartment Owners

Shih Sankar Das
Advocate

Shih Sankar Das
NOTARY
West Bengal
Barasat, Ward 24 Parganas
Regd. No. 08/2017



Shih Sankar Das
MAY 23
Advocate
Barasat
Ward 24 Parganas 700127

CHECKED BY

S
NOTARY CLERK

05 MAY 2025

05 MAY 2025

ANNEXURE - A

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

Memo No: 78

Date: 11.02.2025

To,
 The President
 Emami City Association of Apartment Owners

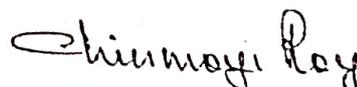
Sub: Status of Application in reference to BID/A- 126 having SI No 13, 14, 15, 16 & 17

Ref: Resolution of 66th DLA Meeting dated 21.12.2024 and your letter dated 03.02.2025

Sir,

In reference to the above subject it was resolved that the applications for name change (BID/A, SI No 13 & 17), was taken into consideration without any change in technicalities of the previous permits, only that the HP-Discharge relation was revised. Out of the 3 new applications (BID/A-126, SI No – 14, 15, & 16) only two were approved with a lower HP. Hence a total amount of 4 borewells were approved with operation on staggering basis only, that is one tube well can be operated at a single time only. It is to be mentioned that ground water cannot be the ultimate solution, rather other sources like supply water, rain water has to be explored.

Thanking you

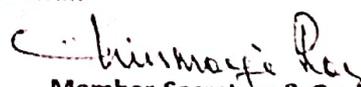

 Chinmayi Roy
 Geologist & Member-Secretary
 DLGWRDA, North 24 Parganas

Memo No: 78/1(2)

Date: 11.02.2025

Copy forwarded for necessary information please to

- 1) Superintending Geologist & Member Secretary SLA, Bikash Bhawan
- 2) Senior Geologist, Div III, Berhampore


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

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ANNEXURE - B.

☎ +91 33 4063 5170



EMAMI CITY ASSOCIATION OF APARTMENT OWNERS

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

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

☐ Info.emamicityrwa@gmail.com • president.emamicityrwa@gmail.com

To

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

dt 12/03/25

Subject: Application for Issuance of Permit Certificate (Form 4) for Approved Borewells.

Respected Madam,

We sincerely appreciate your time and cooperation in addressing our concerns.

With due respect, we submit this application in continuation of our previous correspondences and in reference to your response, vide Memo No. 78 dated 11.02.2025. We acknowledge the approval resolutions adopted in the 66th District Level Authority (DLA) Meeting held on 21.12.2024 regarding the regularization of borewells and the approval of name change applications.

It is noted that the applications for name change (BID/A-126, Sl. No. 13 & 17) have been duly approved; maintaining the technical specifications of the existing permits, except for the revision of the HP-Discharge relation was revised. Furthermore, among the three newly submitted applications (BID/A-126, Sl. No. 14, 15 & 16), only two have been approved with a lower HP, and a total amount of 4 borewells were approved with staggering basis that is one tube well can be operated at a single time only. The total number of borewells approved for operation stands at four (4).

In light of these approvals, we respectfully request that the necessary actions be taken to commence the operation of the remaining two borewells out of the four approved borewells. This certification is essential to ensure regulatory compliance and maintain proper documentation of the approvals granted by the State Water Investigation Directorate (SWID).

Given the acute water crisis affecting the 5,000 residents of our complex, we kindly seek your prompt attention to this matter. We request confirmation of the date and time when we may collect all Permit Certificates from your office. Your timely consideration and issuance of the requisite Permit Certificate would be greatly appreciated.

We greatly appreciate your time and cooperation and look forward to your favourable response.

Thank you.

Enclosures for your reference:-

1) Application for status report dated: 3/02/2025.

2) Replied copy of SWID with Memo No-78.

Copy to : District Magistrate & Collector, North 24-Parganas.

Yours faithfully,

M. Deb
President 12/03/25
Emami City Association of Apartment Owners

ANNEXURE - C.

MONTHLY TREATED WATER SUPPLY DETAILS FROM SDDM			
FOR THE MONTH OF APRIL'25 - SDDM			
Date	Previous Reading (KL)	Current Reading (KL)	Total Consumption (KL)
01.04.25	92580	92720	140
02.04.25	92720	92858	138
03.04.25	92858	92999	141
04.04.25	92999	93141	142
05.04.25	93141	93277	136
06.04.25	93277	93413	136
07.04.25	93413	93551	138
08.04.25	93551	93691	140
09.04.25	93691	93832	141
10.04.25	93832	93962	130
11.04.25	93962	94107	145
12.04.25	94107	94255	148
13.04.25	94255	94389	134
14.04.25	94389	94535	146
15.04.25	94535	94676	141
16.04.25	94676	94816	140
17.04.25	94816	94957	141
18.04.25	94957	95105	148
19.04.25	95105	95245	140
20.04.25	95245	95381	136
21.04.25	95381	95522	141
22.04.25	95522	95664	142
23.04.25	95664	95804	140
24.04.25	95804	95946	142
25.04.25	95946	96090	144
26.04.25	96090	96225	135
27.04.25	96225	96378	153
28.04.25	96378	96526	148
29.04.25	96526	96656	130
30.04.25	96656	96802	146
TOTAL WATER CONSUMPTION FOR THE MONTH OF APRIL'25 (IN KL)			4222

