

**BEFORE THE NATIONAL GREEN TRIBUNAL****EASTERN ZONE BENCH, KOLKATA****Original Application No. 71/2025/EZ****In the matter of-**

BipinBihari Das

Applicant(s)

Versus

State of Odisha&amp;Ors.

Respondent(s)

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Respondent No. 4

Through

Filed by



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## BEFORE THE NATIONAL GREEN TRIBUNAL

## EASTERN ZONE BENCH, KOLKATA

## Original Application No. 71/2025/EZ

**In the matter of-**

BipinBihari Das

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**COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT No. 4 i.e. CENTRAL  
GROUND WATER BOARD, SER****Most Respectfully Showeth:**

I, **Bikram Kumar Sahoo S/o. Mahendra Nath Sahoo** Aged 53 Years, working as **Regional Director in Central Ground Water Board** having office at **Khandagiri Square, Bhubaneswar**, the deponent herein do hereby solemnly affirm and state on oath as under: -

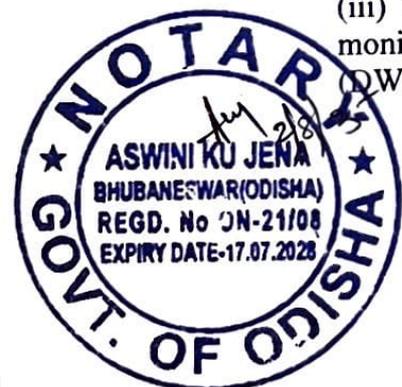
1. That I am competent to swear the present counter affidavit on behalf of Central Ground Water Board, SER (hereinafter referred to as Answering Respondent) and I am aware of the facts and circumstances of the case based on record.
2. That, I have perused the contents of the above captioned O.A. and I am duly authorized to depose by way of the present affidavit.

**Brief Fact-**

3. That the present application seeking allegation wherein the Applicant is that the Respondent No.8, M/s Gadre Marine Export Pvt. Ltd., is illegally operating a fish meal and scrap fish processing factory at Village- Tundura, GP- Tundura, Block- Remuna, P.S- Khantapada, District- Balasore in Odisha.
4. That the averments contained in para 1-17 does not pertain to answering respondent. Thus does not warrant any reply from answering respondent.
5. That in the response to averments contained in 18, it is most respectfully submitted that –
  - (i) The project proponent has drilled 5 nos of Bore well in its premise. All bore wells have been installed with flow meter with telemetry system.
  - (ii) The Flow meter calibration was done on 03.02.2025.

(iii) The proponent had drilled 2 nospf Piezometer wells for ground water level monitoring. 1 Piezometer has been installed with Digital Water Level Recorder (DWLR) and 1 no with telemetry system. The water level from Piezometer well

Bikram Kumar Sahoo



(checked from Telemetry and DWLR) was found to be in the range of 5.6- 6.1 meters below ground level (mbgl) in the month of June, 2025 suggesting water level is shallow and there is no significant effect because of the withdrawal.

(iv) Water quality test was done by 02.05.2025.

(v) The firm has complied with CGWA.

(vi) The water audit was carried out in the month of May, 2025 and was also submitted to CGWB, Bhubaneswar office. The proponent needs to strictly adhere to the recommendations given in the audit report for effective and efficient use of ground water as well as strictly implementing the rain water harvesting measures.

(vii) No additional structures have been made by the project proponent in the premise.

(viii) No increase in withdrawal quantum (withdrawal from 5 structures are approximately 490 KLD (checked from the Telemetry data) with respect to NOC quantum (850 KLD).

(ix) 3 nos of Rain water harvesting pits were installed in the premise and work is in progress in another.

(x) The project proponent has installed an ETP (1500 cubic meter per day capacity) to treat the water coming out after processing. The treated water is stored in a pond. Some of the treated water is used in green belt development. The remaining treated water is conveyed through a pipeline and discharged into the sea.

(xi) The plant has three rainwater harvesting pits with recharge wells, with one more currently under construction. Rainwater from the rooftop is directed to the recharge well for groundwater harvesting.

(xii) The plant is utilising the treated water from the ETP for maintaining the green belt.

(xiii) Not Applicable.

6. That the present counter affidavit may kindly be taken on record and into consideration and the Hon'ble Tribunal may pass appropriate order(s), direction(s) as deemed fit and proper under the facts and circumstances of the present case.

### Verification

I, **Bikram Kumar Sahoo**, do hereby verify that contents of the above paragraphs are true and correct to my own knowledge and/or are in the nature of legal submissions which I believe to be true and no material has been suppressed herewith.



**Bikram Kumar Sahoo**  
 क्षेत्रीय निदेशक/Regional Director  
 केंद्रीय भूजल बोर्ड/Central Ground Water Board  
 दक्षिण पूर्वी क्षेत्र/South Eastern Region  
 भूजल भवन/Bhujal Bhawan  
 खण्डगीर स्क्वायर, एन.एच-5  
 भुवनेश्वर/Bhubaneswar-751030

**Bikram Kumar Sahoo.**

**DEPONENT**  
 क्षेत्रीय निदेशक/Regional Director  
 केंद्रीय भूजल बोर्ड/Central Ground Water Board  
 दक्षिण पूर्वी क्षेत्र/South Eastern Region  
 भूजल भवन/Bhujal Bhawan  
 खण्डगीर स्क्वायर, एन.एच-5  
 भुवनेश्वर/Bhubaneswar-751030



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

(भूजल निकासी हेतु अनापत्ति प्रमाण पत्र)  
**NO OBJECTION CERTIFICATE (NOC) FOR GROUND WATER ABSTRACTION**

Project Name:	Gadre Marine Export Private Limited		
Project Address:	Salt Road, Tundara, Ps Khantapada,, Remuna Block		
Town:	Tundara	Block:	Baleshwar
District:	Baleshwar	State:	Odisha
Pin Code:			
Communication Address:	Salt Road, Tundara, Ps Khantapada,, Remuna Block, Remuna, Baleshwar, Odisha - 756021		
Address of CGWB Regional Office :	Central Ground Water Board South Eastern Region, Bhujal Bhawan, Khandagiri Square, Nh-5, Bhubaneswar, Khordha, Odisha - 751030		

1. NOC No.:	CGWA/NOC/IND/ORIG/2023/19550	2. Date of Issuance	11/10/2023 2:16:00 PM
3. Application No.:	21-4/5082/OR/IND/2023	4. Category: (GWRE 2022)	Safe
5. Project Status:	New Project	6. NOC Type:	New
7. Valid from:	10/11/2023	8. Valid up to:	09/11/2026
9. Ground Water Abstraction Permitted:			
Fresh Water		Saline Water	
m <sup>3</sup> /day	m <sup>3</sup> /year	m <sup>3</sup> /day	m <sup>3</sup> /year
850.00	205000.00		
		Dewatering	
		m <sup>3</sup> /day	m <sup>3</sup> /year
		850.00	205000.00
		Total	
		m <sup>3</sup> /day	m <sup>3</sup> /year
		850.00	205000.00

10. Details of ground water abstraction /Dewatering structures

Abstraction Structure*	Total Existing No						Total Proposed No					
	DW	DCB	BW	TW	MP	MPu	DW	DCB	BW	TW	MP	MPu
	0	0	3	0	0	0	0	0	4	0	0	0

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

11. Ground Water Abstraction/Restoration Charges paid (Rs.):	336000.00		
12. Environment Compensation (if applicable) paid (Rs.):	0.00		
13. Number of Piezometers(Observation wells) to be constructed/ monitored & Monitoring mechanism.	No. of Piezometers	Monitoring Mechanism	
		Manual	DWLR** DWLR With Telemetry
**DWLR - Digital Water Level Recorder	2	0	1 1

(Compliance Conditions given overleaf)

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

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

Phone: (011) 23383561 Fax: 23382051, 23386743

Website: cgwa-noc.gov.in

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

**Mandatory conditions:**

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

**General conditions:**

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

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

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