

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, CENTRAL ZONE,
BHOPAL(MP)

ORIGINAL APPLICATION NO.33/24(CZ)

IN THE MATTER OF:

GAURAV JAIN

---- APPLICANT

VERSUS

STATE OF MADHYA PRADESH & ORS.

---- RESPONDENTS

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Filed by

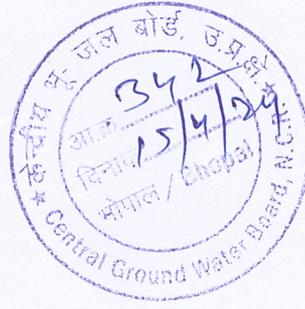
GIGI.C.GEORGE

ADVOCATE

STANDING COUNSEL(UOI)

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M-9810625315



LTCD/MPLWS/WET/KALI/2024-25/005

Date: 08.04.2024

By Registered Courier/Speed Post

To,

The Regional Director,
Central Ground Water Board, North Central Region,
Dept. of Water Resources, River Development
& Ganga Rejuvenation, Ministry of Jal Shakti,
Government of India
Having office at: Block 1 Fourth Floor,
Paryavas Bhawan, Jail Road,
Bhopal - 462011

Subject: Reply to Show Cause Notice bearing File No. -1-8/NCR/TS/SCN/38 dt. 13.03.2024

Dear Sir,

The captioned Show Cause Notice dated 13.03.2024 has been received by Larsen & Toubro Ltd. ("L&T") on 28.03.2024, seeking explanation regarding withdrawal of groundwater. In view thereof, L&T is submitting its Reply to the captioned Notice as hereunder:

1. Pursuant to Award of Tender dated 19.04.2018 by Government of Madhya Pradesh, Narmada Valley Development Department ("Employer"), L&T is executing the work of development of state irrigation infrastructure for ISP Kalisindh Phase 1, Micro Lift irrigation scheme to irrigate 100000 Ha (in words One Lakh Hectare) command areas of Dewas, Shajapur, and Sehore District as a solution to address the farmers issue of water scarcity for irrigation in this area ("**Project**"). The Project pertains to implementation of irrigation infrastructure and improving the economic conditions of

Anokha
Chauhan
R
15/4/24

Registered Office: L&T House, N. M. Ballard Estate, Mumbai - 400 001, INDIA
Licence No.: CIN - L99999MH1946PLC004768

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the farmers. L&T had obtained requisite environmental clearances, forest clearance and drawing approvals from relevant authorities and commenced the Project on 07.05.2018.

2. The infrastructure projects such as Kalisindh Irrigation Project, as specified by Narmada Water Dispute Tribunal (“**NWDT**”), are designed after seeking due permissions from all the concerned authorities/Employer.
3. The extracted water is being utilized for drinking water purposes for the employed staff and workmen/labour during the construction stage of the Project and will also be required in future during the Operation Stage, for the staff/workmen who will be handling the maintenance and operation of irrigation project pumps at Intake Complex (i.e., place consisting of Pump House 1 and Pump House 2).
4. In this regard, it is pertinent to note the exemption provided in the Notified Guidelines to regulate and control ground water extraction in India dated 24.09.2022, amended on 29.03.2023, issued by the Ministry of Jal Shakti (“**Guidelines**”), which has a retrospective effect. The Guideline clearly states that, “All Industries/ Mining projects / Infrastructure Projects drawing ground water only for drinking / domestic purposes upto 5 Cum/ day in all assessment units” are exempted from seeking No Objection Certificate.
5. Placing reliance on the above exemption, it is reiterated that Para 1.0 will squarely apply with respect to the present infrastructure project where L&T clearly falls in the exempted category. Till date, the groundwater extracted has been entirely used for the required purposes.

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6. Therefore, withdrawal of groundwater by L&T is not illegal as L&T falls within the exempted category in terms of Para 1.0 of the Guidelines. L&T reaffirms its commitment to safeguard and preserve the environment at all costs. It is emphasized that L&T has no intention of disregarding any regulations or engaging in activities that could harm the environment or local communities.
7. Considering the above explanation, it is kindly requested to withdraw the Show Cause Notice dated 13.03.2024.

Regards,


Project Manager,
ISP Kalisindh Ph-1 MLIS
L&T Construction – WET IC



CC:

- (1.) Executive Engineer (Division No. 32), Narmada Valley Development Authority, DN. No. 32, Barwaha, District – Khargone, Madhya Pradesh
- (2.) Collector/ Deputy Commissioner/District Magistrate, Collectorate, Gomti Nagar, Dewas, Madhya Pradesh, 455001
- (3.) Member Secretary, State Pollution Control Board, Concern – Shri Chandra Mohan Thakur, M.P. Pollution Control Board, E-5, Area Colony, Paryavaran Parisar, Bhopal, 462016

SITE INSPECTION PROFORMA FOR VERIFICATION OF COMPLIANCE OF CONDITIONS OF NOC BY INDUSTRIES/ INFRASTRUCTURE/ MINING PROJECTS/ URBAN WATER SUPPLY AGENCIES

1. Name of ground water user Larson & Turbin Well ISP Kalisandh Phase - II
2. Industry/infrastructure/ mining project/ Urban Water Supply agencies (Tick any one) Infrastructure
3. Village/ Block/ District/State: Narmada Nagar, Chandgarh range, Jhansi Nagar Pragn
4. No. & Date of issuance of NOC: Mundi, Khemdwara District, M.P.
5. Date of latest renewal (if any): No. NOC obtained
6. Validity of NOC (Years): NA
7. Date of site inspection : 02/07/2024
8. **Monitoring of compliance of conditions laid down in the NOC:**

S. No.	Conditions as per NOC		Compliance status observed		Remarks
1a	Quantum of ground water withdrawal through abstraction structure (TW/ BW/ DW)	<u>—</u> m ³ /day	Quantum withdrawn by the firm (Check log book)	<u>4.968</u> m ³ /day or <u>4968</u> ltr Per day	Measured discharge <u>0.46</u> lps. and pumping hours is <u>3</u> hr/day.
1b	No. of ground water abstraction structures	DW ---- TW ---- BW ----	No. of abstraction structures	DW ---- TW ---- BW ---- <u>01</u> nos	<u>01</u> nos. of BW constructed before <u>24.09.2020</u> .
1c	Wells fitted with digital water flow meter	All wells to be fitted with flow meters	Check at site	Yes/ No <u>No</u>	<u>No</u>
1d	Functional status of flow meter	All flow meters should be functional	Are all flow meters in working condition ?	Yes/ No <u>—</u>	<u>NA</u>
2a*	Quantum of Dewatering of Groundwater (In case of mine/ infrastructure dewatering projects)	<u>—</u> m ³ /day	Quantum of dewatering withdrawn by the firm (Check log book)	m ³ /day	<u>NA</u>



S. No.	Conditions as per NOC	Compliance status observed		Remarks
2b*	No. of Mine pits/sump/dewatering structure	—	No. of Mine pits/sump/ dewatering structure constructed	— NA.
2c*	Dewatering structures fitted with digital water flow meter	All Dewatering structures to be fitted with digital water flow meters	Check at site	Yes/ No — NA
3	Submission of data on GW extraction/ dewatering to CGWA	GW extraction/ dewatering data to be submitted to CGWA	Whether ground water extraction/ dewatering data submitted to CGWA	Yes/ No. Month up to which data submitted : No
4a	No. of piezometers to be constructed	—	No. of piezometers constructed	— No
4b	a) No. of piezometers to be fitted with AWLR/DWLR b) No. of piezometers to be fitted with telemetry	a) _ b) _	a) No. of piezometers fitted with AWLR/DWLR b) No. of piezometers fitted with telemetry	a) _____ b) _____ Attach photographs NA
4c	Submission of water level data to CGWA	Monthly WL data to be submitted	Whether monthly water level data submitted to Regional Office	Yes/ No Month/ Year up to which data submitted: No.
5	Monitoring of GW quality	GW quality to be monitored	Whether quality data submitted to Regional Office	Year up to which data submitted : No
6a	No. of wells to be monitored around the mining area	Both in core and buffer zone	No. of wells monitored around the industry	Core : Buffer : NA



S. No.	Conditions as per NOC		Compliance status observed		Remarks
				Yes/ No	
6b	Submission of water level data of core and buffer zone	Pre- and post monsoon data —	Whether water level data of wells monitored submitted to Regional Office	No	No.
7a	Annual quantum of water to be harvested/ recharged (As per NOC issued prior to 24.09.2020)	— m ³ / annum	Quantum of water harvesting/ recharge as implemented by the firm	— m ³ /annum	No
7b		—	No. and type of recharge structures implemented inside the premises (Attach photographs)	—	No
			Whether structures are maintained properly	—	—NA
7c		—	No. and type of structures implemented outside the premises (Attach photographs)	—	NA
			Locations of structures	—	NA
			Whether All the structures are maintained properly	—	NA
8	Recycling/ reuse of water	—	Check at site the STP/ETP installed (Attach photographs)	—	No



Handwritten signature

9*	Water from dewatering in mining/ infrastructure projects to be put to gainful use	—	Activity for which water from dewatering project is being used	—	NA
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*Applicable for Mining/Infrastructural dewatering projects only.

Name & signature of Project proponent/
Representative of the firm

Amritha Singh (ACM)

Name & signature of Inspecting Officer
Scientist -
officer from Regional Office
Kamlesh Ojha
02/07/24
02/07/24
K. L. Pradeep
Hydrogeologist
Central Region, Bhopal
Dept. of Water Resources, RD & GR
Ministry of Jal Shakti
Govt. of India
Bhopal
भारत सरकार
K.L. Pradeep
A.H.K.

10. Status of Compliance of NOC Conditions: Fully/ Partially/ Non-Compliance

11. Valid reasons for non-compliance, if any :

12. Whether action is to be initiated against the industry? : Yes / No - N.A.

13. Details of Action Taken at the level of Regional Director :

14. Date of issuing Show Cause Notice:

15. Follow – up actions taken/ recommended, if any:

Recommendation of Regional Director : Recommended for renewal (Yes/ No)
अशोक कुमार बिसवाल/ASHOK KUMAR BISWAL
क्षेत्रीय निदेशक/Regional Director
भारत सरकार/Government of India
जल शक्ति मंत्रालय/Ministry of Jal Shakti
जल संसाधन, नदी विकास और गंगा संरक्षण विभाग
Department of WR, RD & GR
केन्द्रीय भूमि जल बोर्ड/Central Ground Water Board
उत्तर मध्य क्षेत्र, भोपाल/North Central Region, Bhopal
Pradeep
18/7/24

Name & Signature of Regional Director with stamp:



Latitude: 22.318428
Longitude: 76.519708
Elevation: 279.48±3 m
Accuracy: 3.9 m
Time: 02-07-2024 11:40
Note: Bw 1, L & T company khandwa, bw 1 to construction

Bore well No 1



Latitude: 22.318682
Longitude: 76.518582
Elevation: 278.25±3 m
Accuracy: 3.8 m
Time: 02-07-2024 11:47
Note: discharge measurement L & T company khandwa, bw 1 to construction

Discharge Measurement



Latitude: 22.318466
 Longitude: 76.21862
 Elevation: 274.94±2 m
 Accuracy: 3 m
 Time: 02-07-2024 11:38
 Note: Bw T, L & T company khadwa, pw-1 to construction



Latitude: 22.319418
 Longitude: 76.21808
 Elevation: 309.04±7 m
 Accuracy: 3.8 m
 Time: 02-07-2024 11:38
 Note: L & T company khadwa, tank 1 up due to construction