

**BEFORE THE NATIONAL GREEN TRIBUNAL, EASTERN ZONE BENCH,  
KOLKATA**

**ORIGINAL APPLICATION NO. 188 OF 2023/EZ**



Rajkumar Das ...Applicant

Versus

MOEF and others. ....Respondents

**AFFIDAVIT ON BEHALF OF RESPONDENT NO. 3, STATE WATER**

**INVESTIGATION DIRECTORATE**

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Filed by

Rajib Ray  
Advocate

Bar Association Room No. 13,  
High Court, Calcutta  
Mob-9830132729

Cham: 28, Fakir Chand Mitra Steet, Kolkata- 700009.

Email: [rajib.ray23@gmail.com](mailto:rajib.ray23@gmail.com)

**12 FEB 2024**

SL. NO. 388/2024

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BEFORE THE NATIONAL GREEN TRIBUNAL, EASTERN ZONE BENCH,  
KOLKATA

ORIGINAL APPLICATION NO. 188 OF 2023/EZ

Rajkumar Das ...Applicant

Versus

MOEF and others. ....Respondents



BEFORE THE NOTARY PUBLIC  
AT BIDHANNAGAR  
DIST. NORTH 24 PARGANAS

AFFIDAVIT ON BEHALF OF RESPONDENT NO. 3, STATE WATER

INVESTIGATION DIRECTORATE

I Shri ARINDAM GHOSH, son of Late Binoy Kumar Ghosh, aged about 59 years, by faith: Hindu, by occupation – Government Service, now posted Director, State Water Investigation Directorate (SWID), under Water Resources Investigation & Development Department, Government of West Bengal having its office at Nirman Bhawan (3rd Floor), Bidhannagar, Kolkata – 700091, do hereby solemnly verify and say as follows:-

1. I am in charge of Director, State Water Investigation Directorate and I have made myself acquainted with the facts and circumstances of this case and am competent to affirm this affidavit.
2. That by an order dated 12.01.2024 the Hon'ble National Green Tribunal, Eastern Zone, Kolkata, was pleased to direct the respondents to file counter-affidavit.

12 FEB 2024



3. That this affidavit is being affirmed in pursuant to the solemn order passed by the Hon'ble Tribunal on 12.01.2024.

4. That in compliance with the said Order dated 12.01.2024, a spot enquiry/inspection of the area in question has been done by the Geologist, Geological Sub-Division No. 1/A, SWID, Paschim Medinipur.

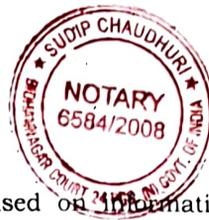
5. That by letter dated 30.01.2024, the Geologist, Geological Sub-Division No. 1/A, SWID, Paschim Medinipur submitted the enquiry reports in respect of the units of Respondent No. 4 along with photographs and as per said reports it is found that three nos. of tube wells exist within the factory premises having permission from the competent authority and those tube wells are not in running condition.

6. District Level Ground Water Resources Development Authority, Paschim Medinipur issued Permits vide certificate no. 009550, 009551 and 009552 dated 04.01.2010 to those three Tube Wells.

The photocopy of the said letter dated 30.01.2024 along with photographs is annexed and marked as Annexure-"R-1".

7. It is therefore prayed that the Hon'ble Tribunal may pass necessary order or further orders as it deem fit and proper in the interest of justice.

**12 FEB 2024**



8. The statements made in paragraph 1 to 6 are based on information derived from the record which are usually kept and maintained by the answering respondents in the ordinary course of business and which I believe to be true and rest thereof are my humble submission before this Hon'ble Tribunal.

Prepared in my office

Advocate

(ARINDAM GHOSH)  
Deponent

Director  
State Water Investigation Directorate  
Govt. of West Bengal

Before The National Green Tribunal,  
Eastern Zone Bench, Kolkata  
O.A No. 188 of 2023

In the matter of:

Rajkumar Das ...Applicant  
Versus  
MOEF and others. ....Respondents

Affidavit on behalf of the Respondent No.3  
above named

RAJIB RAY  
Advocate

Bar Association Room No. 13,  
High Court, Calcutta  
Mob-9830132729/7980422764  
Cham: 28, Fakir Chand Mitra Steet,  
Kolkata- 700009.  
Email: rajib.ray.official23@gmail.com

S. CHAUDHURI  
★ NOTARY ★  
GOVT. OF INDIA  
Regn. No.-6584/08  
Bidhannagar Court  
Dist.-North 24 Pgs

12 FEB 2024

Government of West Bengal  
Water Resources Investigation & Development Department  
Office of the Geologist

Geological Sub Division No.-I/A, S.W.I.D.,  
Administrative Building (Ground Floor),  
Daak Bunglow Road, Sarat Pally,  
Midnapore – 721 101, Paschim Medinipur  
Email: geolswidpsmidnapore@gmail.com

OFFICE OF THE DIRECTOR  
State Water Investigation Directorate  
File No .....  
D. E. No. 228  
Date 31-01-24

*Dr. Geologist  
DPC  
I/A  
3/1*

Dated, Midnapore, the 30.01.2024



Memo No. 18

To  
The Director, S.W.I.D.,  
Nirman Bhavan (3<sup>rd</sup> floor), Salt Lake City,  
Kolkata-700 091.

Subject: Enquiry report regarding the extraction of ground water by the company M/S Ramsarup Industries Ltd w.r.t. the Order dated 12/01/2024 in connection with O.A. 188/2023/EZ Rajkumar Das VS MOEF and Ors.

Ref : Your letter vide memo no 121/ NGT/Paschrm Medinipur dated 24.01.2024

Sir,

With reference to the above subject matter, and as per your direction a field visit has been carried out to the undersigned on 30.01.2024 within the factory premises of M/S Ramsarup Industries Limited. During the site inspection it was observed that 03 nos of tube wells are exist within the factory premises, which were already permitted by the competent authority i.e SWID.(Copy attached) and those are not in running condition. It was informed by the representative of the company that they have a water reservoir in which they store rain water and it is the only source of water for different uses of the factory. The undersigned also issue Conditionality to the company against each tube well for groundwater extraction as the permits which were issued to the industry (dated 04.01.2010) were without conditionality.

Further this is also informed you that, the undersigned was inspected the company on 17.07.2023 as per the complaint of West Bengal Lodha Sabar Swamaj against the industry Of M/S Ramsarup Industries Ltd received via mail on 03.07.2023 regarding the illegal extraction of ground water by the company. The observation report remains same.

The photographs during the field visit are also attached for your ready reference.

This is for your kind information and thus obliged.

- Enclosures: 1. Permitted copies of the tube wells.  
2. Office copy of issuance of conditionality.  
3. Photographs during field inspection.

Yours faithfully

*Sriparna Banerjee*

Geologist  
Geological Sub Division No. I / A  
S.W.I.D., Paschim Medinipur

Dated, Midnapore, the 30.01.2024

Memo No. 18 /1(2)

Copy forwarded for information to the:

1. The Superintending Geologist, S.W.I.D., Geological Circle, Bikash Bhavan (4<sup>th</sup> floor), Kolkata-700091
2. The Senior Geologist, Geological Division No. I, S.W.I.D., Bankura.

*Sriparna Banerjee*

Geologist  
Geological Sub Division No. I / A  
S.W.I.D., Paschim Medinipur

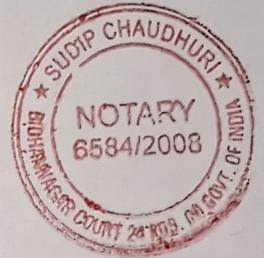
Photographs during field inspection on 30.01.2024 in the company Ramsarup industries limited.



Tube well 01



Tube well 02



FORM 4

(New Rules 2013 and 2015)

(EMPOWERED OR SUB-GRAM OF THE CONCERNED AUTHORITY)

PERMIT FOR SINKING OF NEW WELL

(BOS 7(3)(a) / 7(4)(b) / 7(5)(a) of the West Bengal (Ground Water Resources (Management, Control and Regulation) Act 2015.)

009550

PERMIT NO P14 2013160151 088801TSE

- (a) Name of the applicant (user)
- (b) Son / Daughter of
- (c) Address of the applicant
- (d) Category of farmer (Please tick) (In case of irrigation well)
- (e) Serial No. of application Form and date of submission
- (f) Specimen signature of the user

Shri/Smt. Ashish Shukhansala, M.D.,  
 Ramsarup Lohh Udyog,  
 Ambikaprasad Shukhansala, 144 Alipor,  
 Small Farmer / Marginal Farmer / Others



13/11-2018 51-24 on 2010/11  
**RAM SARUP LOHH UDYOG**  
 UNIT OF RAM SARUP INDUSTRIES LTD.  
 Managing Director / Authorized Signatory

Location particulars

- (a) District
- (b) Block, Mouza, J. L. No., Plot No.
- (c) Municipality / Corporation  
Ward No. / Borough No., Holding No.

Medinipur  
 KHP-I, Malavcha, 131, 151  
 KHP, Ward-20

Particulars of the proposed well and pumping device

- (a) Type of the well
- (b) Approx. depth of the well (m)
- (c) Purpose of the well
- (d) Assembly size (for tube well)
- (e) Approx. strainer length (for tube well)
- (f) Diameter (for dug well)
- (g) Type of pump to be used
- (h) H. P. of the pump
- (i) Operational device
- (j) Rate of withdrawal (m<sup>3</sup>/hr.)
- (k) Maximum allowable running hours per day

Tube Well  
 30M  
 Industrial  
 152 mm. X 152 mm.  
 3 m.  
 N/A m.  
 Submersible  
 2 HP  
 electric  
 15 m<sup>3</sup>/hr  
 2 Hours.

This permit authorizes the owner applicant (user) to sink a well in the location specified at S1. (2) for extraction of ground water at a rate not exceeding that as shown at S1. (3) (j) and for running hours / day as shown at S1. (3) (k), and is valid subject to the observance of the conditions stated overleaf.

Medinipur  
 24/12/09

Office of the Geologist  
 Geological Sub-Div. No. - I/A, S.W.I.D.,  
 SEAL

Saibal Singh  
 Signature of the Issuing Authority  
 Geological Sub-Div. No. - I/A,  
 and Designation. O.A.

Member Secretary, D.L.A.  
 Paschim Medinipur

Member Secretary, D.L.A.  
 Paschim Medinipur

**Conditions:**  
 In case of any change of ownership of the proposed well, fresh registration has to be obtained.  
 No change of location, design, rate of withdrawal and pumping device in respect of the proposed well as indicated at S1. (2) and (3) of this certificate be made without prior permission of the Competent Authority. Any deviation in this regard shall lead to cancellation of this permit.  
 In case, any of the particulars / information furnished by the applicant in his application for issuance of this permit is found to be incorrect, verification at any subsequent stage, this permit is liable for cancellation.  
 Any other condition imposed by the concerned Authority.

Office of the Geologist  
 Geological Sub-Div. No. - I/A, S.W.I.D.,  
 OFFICE

Member Secretary, D.L.A.  
 Paschim Medinipur

S. S. Das  
 24/12/09  
 09/01/10

PERMIT FOR SINKING OF NEW WELL

PERMITS 73(1)(b) / 73(1)(c) of the West Bengal Ground Water Regulation (Management, Control and Regulation) Act 2005.

PERMIT NO B14.20.138 AND 55 000 100 15 55

09551



- 1. (a) Name of the applicant (user)
- (b) Son / Daughter of
- (c) Address of the applicant
- (d) Category of farmer (Please tick) (in case of irrigation well)
- (e) Serial No. of application Form and date of submission
- (f) Specimen signature of the user

Shri/Smt Anubh  
Rangajit  
Ambika Prasad Jhanghuanada, 10/4, A.P.P.  
Small Farmer / Marginal Farmer / Others Park place, 2

2. Location particulars—

- (a) District
- (b) Block, Mouza, J. L. No., Plot No.
- (c) Municipality / Corporation  
Ward No. / Borough No., Holding No.

BPA-248, 31-2-3, 20-02/04/09  
RANGARUP LOHAR  
MANIT OF RANGARUP INDUSTRIES  
Managing Director Authorized  
Paschim Medinipur  
KRP-I, Tahsilbaram, 138, 55  
N.A

Particulars of the proposed well and pumping device---

- (a) Type of the well
- (b) Approx. depth of the well (m)
- (c) Purpose of the well
- (d) Assembly size (for tube well)
- (e) Approx. strainer length (for tube well)
- (f) Diameter (for dug well)
- (g) Type of pump to be used
- (h) H. P. of the pump
- (i) Operational device
- (j) Rate of withdrawal (m<sup>3</sup>/hr.)
- (k) Maximum allowable running hours per day

Tube Well  
90M  
Industrial  
152 mm. X 152 mm.  
3 m.  
N.A m.  
Submersible  
2 H.P  
Electric  
15 m<sup>3</sup>/hr  
2 Hourly.

This permit authorizes the owner applicant (user) to sink a well in the location specified at S1. (2) for extraction of ground water at a rate not exceeding that as shown at S1. (3)(j) and for running hours / day as shown at S1. (3) (K) and is valid subject to the observance of the conditions stated overleaf.

Medinipur,  
24/12/09

Office of the Geologist  
Geological Sub-Dir. No. I/A, S.W.I.D.  
SEAL

Member Secretary, D.L.A.  
Paschim Medinipur

Sachin  
Geologist  
Signature of the Issuing Authority  
Official Seal and Designation

Member Secretary, D.L.A.  
Paschim Midnapur

In case of any change of ownership of the proposed well, fresh registration has to be obtained.  
No change of location, design, rate of withdrawal and pumping device in respect of the proposed well as indicated at S1. (2) and (3) of this certificate be made without prior permission of the Competent Authority. Any deviation in this regard shall lead to cancellation of this permit.  
In case, any of the particulars / information furnished by the applicant in his application for issuance of this permit is found to be incorrect on verification at any subsequent stage, this permit is liable for cancellation.  
Any other condition imposed by the concerned Authority.

Office of the Geologist  
Geological Sub-Dir. No. I/A, S.W.I.D.  
SEAL

Member Secretary, D.L.A.  
Paschim Medinipur

24/12/09  
24/12/09

FORM 4

(See Rules 9(1) and 10(2))

(OWNER OR HOLDER OF THE CONCERNED AUTHORITY)

PERMIT FOR SINKING OF NEW WELL

(RUS 7(A), 7(B) / 7(D) (b) / 7(E)(a) of the West Bengal Ground Water Resources (Management, Control and Regulation) Act 2003.)

PERMIT NO. PLH.R.O. 20.00081

009552



(a) Name of the applicant (user) : Shri/Smt. Ashish Ranjansingh

(b) Son/Daughter of : Ashish Ranjansingh

(c) Address of the applicant : Ashish Ranjansingh, Midnapore, West Bengal

(d) Category of Farmer (Please tick) : Small Farmer / Marginal Farmer / Others

(e) Serial No. of application Form and date of submission : D/A-268, Sl-22, Dt-20/04/09

(f) Specimen signature of the user : *(Signature)*

Location particulars--

(a) District : Paschim Medinipur

(b) Block, Mouza, J.L. No., Plot No. : KGP-I, Rajpur, 130, 81

(c) Municipality / Corporation : N.A.

Ward No. / Borough No., Holding No. : N.A.

Particulars of the proposed well and pumping device--

(a) Type of the well : Tube Well

(b) Approx. depth of the well (m) : 90 M

(c) Purpose of the well : Industrial

(d) Assembly size (for tube well) : 152 mm X 152 mm

(e) Approx. strainer length (for tube well) : 5 m

(f) Diameter (for dug well) : N.A m

(g) Type of pump to be used : Submersible

(h) H.P. of the pump : 2 HP

(i) Operational device : Electric

(j) Rate of withdrawal (m<sup>3</sup> / hr.) : 15 m<sup>3</sup> / hr

(k) Maximum allowable running hours per day : 2 Hours

Managing Director / Authorized Signatory : RAMBARUP LOHH UDYOG

Signature of the applicant (user) : UNIT OF RAMBARUP INDUSTRIES LTD

This permit authorizes the owner applicant (user) to sink a well in the location specified at S1. (2) for extraction of ground water at a rate not exceeding that as shown at S1. (3) (j) and for running hours / day as shown at S1. (3) (K), and is valid subject to the observance of the conditions stated overleaf.

Medinipur  
24/12/09

Office of the Geologist  
Geological Sub-Div. No. I/A, S.W.I.D.,  
Paschim Medinipur

*(Signature)*  
Geologist  
Signature of the Competent Authority  
and Designation : I/A

Member Secretary, D.L.A.  
Paschim Medinipur

Member Secretary, D.L.A.  
Paschim Medinipur

In case of any change of ownership of the proposed well, fresh registration has to be obtained. In case of change of location, design, rate of withdrawal and pumping device in respect of the proposed well as indicated at S1. (2) and (3) of this certificate, any deviation in this regard shall lead to cancellation of this permit. In case, any of the particulars / information furnished by the applicant in his application for issuance of this permit is found to be incorrect or any other condition imposed by the concerned Authority, this permit is liable for cancellation.

Office of the Geologist  
Geological Sub-Div. No. I/A, S.W.I.D.,  
OFFICE  
Member Secretary, D.L.A.  
Paschim Medinipur

S. S. Das  
24/12/09  
04/01/10

- 10 -

**Government of West Bengal**  
**Water Resources Investigation & Development Department**  
**Office of the Geologist**  
 Geological Sub Division No. - I/A, S.W.I.D.,  
 Administrative Building (Ground Floor),  
 Daak Bunglow Road, Sarat Pally, Midnapore - 721 101,  
 Paschim Medinipur  
 Email: geolswidpsmidnapore@gmail.com



Memo No. 17

Dated, Midnapore, the 30.01.24

To,

The Director  
 Ramsarup Industries Ltd.  
 KHP-7  
 Paschim Medinipur.

**Sub.-: Issuance of Conditionalities against Permit for sinking borewell for groundwater extraction**

You are hereby directed to follow the conditions as listed below against the SWID Permit No. P142013000810000001TSE, P142013800055000001TSE, P142013100151000001TSE. Dated 24.01.24 from the date of Issuance of the Permits. Previously the conditionalities were issued along with the Original Permits & are being circulated to you once again for your information & necessary actions.

**Conditionality for Package Drinking Water Projects and Industries/Infrastructures:**

1. Roof Top Rain Water Harvesting for Surface Storage :-
  - A. A Provision for Roof Top rain Water Harvesting is a must that should be kept within the industrial campus area.
  - B. At least 20% of the roof top areas of the industrial building are required to be brought under RWH programme.
  - C. Rain water is required to be collected in a surface storage reservoir (concrete) through a number of pipelines from roofs.
  - D. The roof top rain water collected should be utilized in-
    - i) Washing and cleaning purpose within the entire campus area.
    - ii) Plantations and gardening.
    - iii) Flushing in the toilets.
    - iv) To fulfill any other industrial needs.
  - E. i) Artificial Recharging Techniques into groundwater through any kind of recharge shafts/ filter points should not be allowed strictly by any user.  
 ii) Drinking water provisions through RWH structures should not be made.
2. Excavation of Pond of size 150 ft x 50 ft with 2 m. depth.
3. **Chemical Quality Test Report from Govt./Semi-Govt. approved Laboratory** in each year to be submitted to the Geologist & Member Secretary, D.L.A., Paschim Medinipur.
4. The Permit Certificate will be reviewed in every year from the date of issuance of Permit- based on local hydrogeological conditions that may prevail afterwards.
5. **Arrangement of Water Meter at the outlet of Tube Well discharge and a logbook to be monitored by Govt. Officials** as assigned by the D.L.A. to ascertain the quantity of water utilize (daily log book to be maintained by the users.)
6. The enhanced rate if any in future (including the rates revised retrospectively) of fees/charges/taxes for draws of ground water on annual basis, should be borne by the applicants for operating their tube wells in a continuous manner.

Sriparna Banerjee

Member Secretary, DLA

&

Geologist

Geological Sub Division No. I/A  
 S.W.I.D., Paschim Medinipur

o/c

30/1/24

