

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
IN
ORIGINAL APPLICATION NO.54/2023/EZ

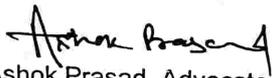
IN THE MATTER OF:

PRAVASH KAR MAHAPATRA --- APPLICANT
VERSUS
MoEF & Ors RESPONDENTS

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Filed by


Ashok Prasad, Advocate
Counsel for Union of India

Dated: 16/08/2023
Place: Kolkata

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IN
ORIGINAL APPLICATION NO. 54/2023/EZ

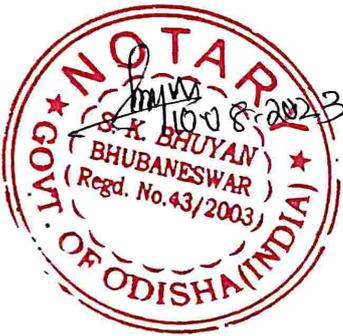
IN THE MATTER OF:

PRAVASH KAR MAHAPATRA --- APPLICANT
VERSUS
MoEF&CC & Ors. --- RESPONDENTS

PARAWISE REPLY AFFIDAVIT ON BEHALF OF THE RESPONDENT
NO. 07 i.e., CGWB, SER, BHUBANESWAR AND IN COMPLIANCE OF
THE HON'BLE TRIBUNAL ORDER DATED 18.05.2023

I, SRI PRADYUMNA KUMAR MOHAPATRA, aged about 59 years, by
working as Regional Director in the office of the Central Ground Water
Board, Govt. Of India, Ministry of Jal Shakti, Department of River
Development Ganga Rejuvenation, South Eastern Region, Bhujal
Bhawan, Bhubaneswar – 751030, do hereby solemnly affirm and declare
as under: -

1. That I, am duly authorised and competent to swear this affidavit
on behalf of Respondent no. 7, Central Ground Water Board,
South Eastern Region, Bhubaneswar in the above matter.
2. That I have read and understood the order passed by the
Hon'ble NGT dated 18.05.2023 and filing this counter affidavit in
compliance of direction passed by the Hon'ble Tribunal. The
contents thereof are true and correct and nothing material has
been concealed there from.
3. That the Deponent is fully conversant with the facts of the case
on the basis of the official record and duly authorised and



Kum. Hafelkar
Regional Director
Central Ground Water Board
SER, Khandagiri Chhak
Bhubaneswar-751030
Pradyumna

competent to swear this present affidavit on behalf of Respondent No. 7.

- 4. That the deponent craves liberty to raise additional submission or file additional affidavit in case need arises during the course of arguments.

PARA-WISE REPLY TO THE ORIGINAL APPLICATION:

- 1. That the contents of Para 1 to 4 does not pertain to the answering respondent hence, does not warrant any reply.
- 2. That in reply to the contents of Para 5 in respect of drawing huge quantities of ground water by the firm without having any clearance from the Central Ground Water Board, it is respectfully submitted that a Show Cause Notice has been served to the firm on dated 21.07.23. True copy of Show Cause Notice is marked herewith and annexed as ANNEXURE-I.
- 3. That the contents of Para 6 to 11 does not pertain to the answering respondent hence, does not warrant any reply.
- 4. Hence, the present Respondent craves leave to submit any other documents time to time if required as the Hon'ble Tribunal may deem fit and proper.
- 5. In view of the above facts indicated in earlier paragraphs, it is respectfully prayed that this Respondent No. 6 shall abide by any order or direction, passed by this Hon'ble court.

Handwritten signature

Pradyumn Kumar
 Regional Director
 Central Ground Water Board
 SER, Khandagiri Chhatak
 Bhubaneswar-751030



DEPONENT

VERIFICATION

I, SRI PRADYUMNA KUMAR MOHAPATRA, the above-named deponent do hereby verify that, the contents of the above affidavit are true and correct to my knowledge based on official records, no part of it is false and nothing material has been concealed there from.

Signed and verified on this 10th Day of August, 2023 at Bhubaneswar.

Identified by me
Advocate
Bhubaneswar
10/08/2023

Pradyumna Kumar Mohapatra

DEPONENT
Regional Director
Central Ground Water Board
SER, Khandagiri Chhak
Bhubaneswar-751030



The deponent above named being duly identified by ... Mohapatra ... Advocate appear before me and states on oath this affidavit are true to the best of my his/her knowledge.
10.08.2023

Sarat Kumar Bhuyan
NOTARY, BHUBANESWAR
Govt of Odisha (India)
Regd No.-43/2003

Regd SC-NO: 146/2023
dt. 10.08.2023

Annexure-1 119

Ministry of Jal Shakti
 Department of Water Resources, River Development & Ganga
 Rejuvenation
CENTRAL GROUND WATER AUTHORITY
 [Constituted under section 3 (3) of Environment (Protection) Act, 1986]
 www.cgwa-noc.gov.in
 Central Ground Water Board, SER,
 Bhubaneswar
 rdser-cgwb@nic.in

File No. 5-22/SER/CGWA/2022-23 - 577

SHOW-CAUSE-NOTICE

Date: 21.07.2023

Whereas the Central Ground Water Authority has issued public notices directing all the existing ground water users to apply for No Objection Certificate for ground water withdrawal.

And whereas, it has been brought to the notice of Authority that VENCO Research and Breeding Farm is withdrawing ground water without obtaining NOC from the Authority. This illegal withdrawal of ground water amounts to theft of ground water.

Now therefore, the Authority in exercise of powers under section 5 of the Environment (Protection) Act, 1986 hereby directs you to show cause as why your ground water abstraction structure(s) (dugwell/borewell/tubewell/ dewatering structure) should not be sealed for illegal withdrawal of ground water. You are hereby given an opportunity to submit explanation within 15 days (through this email Id-rdser-cgwb@nic.in) from the date of receipt of this notice, failing which the authority shall proceed in accordance with law, at your own risk, cost and responsibility including but not limited to sealing of ground water abstraction structures and imposition of penalty, arrear and environmental compensation for illegal withdrawal of groundwater.

e/c

(Signature)
 21/7/23
 (Dr. B. K. Sahoo)
 Head of Office

To
 VENCO Research and Breeding Farm
 At/PO-Chhatna, Rasgovindpur, Mayurbhanj, Odisha-757018
 Email- corp.sec@venkys.com

Copy to:

1. Collector /District Magistrate, Mayurbhanj, At/Po-Baripada, Dist-Mayurbhanj, Odisha-757001.

Central Ground Water Authority has appointed the District Magistrate/ District Collector/ Sub Divisional Magistrates of each Revenue District/Sub division as Authorized Officers, who have been delegated the power to seal illegal wells, disconnect electricity supply to the energized well, launch prosecution against offenders etc. including grievance redressal related to ground water in their respective jurisdictions.

e/c

(Signature)
 21/7/23
 (Dr. B. K. Sahoo)
 Head of Office