

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN BENCH, AT PUNE**

ORIGINAL APPLICATION No. 104 OF 2019

IN THE MATTER OF:

NITIN DEVRAJ JARU & ANR.

...APPLICANTS

VERSUS

UNION OF INDIA & ORS.

...RESPONDENT(S)

**COUNTER AFFIDAVIT / REPLY ON BEHALF OF RESPONDENT NO. 4
/ CENTRAL GROUND WATER AUTHORITY**

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Through:

FILED BY:

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Date: 22.09.2021

Place: Noida

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IN THE HON'BLE NATIONAL GREEN TRIBUNAL

WESTERN BENCH, AT PUNE

ORIGINAL APPLICATION No. 104 OF 2019

IN THE MATTER OF:

NITIN DEVRAJ JARU & ANR. ...APPLICANTS

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UNION OF INDIA & ORS. ...RESPONDENTS

COUNTER AFFIDAVIT / REPLY ON BEHALF OF
RESPONDENT NO. 4 / CENTRAL GROUND WATER
AUTHORITY

I, Sanjeev Mehrotra, S/o Sh.Kailash Chandra Mehrotra, Aged about 57 years, employed as Scientist'D' & Head of Office, Central Ground Water Board, West Central Region, functioning at Ahmedabad, do hereby solemnly affirm and declare as under:

That I am duly authorized and competent to swear this affidavit on and on behalf of Central Ground Water Authority, Ministry of Jal Shakti, New Delhi in the above matter.



SERIAL No. 2848/2021
 BOOK No. A
 PAGE No. 500
 DATE. 17.09.2021

Sanjeev Mehrotra
 17/9/2021
 कार्यालय प्रमुख/Head of Office
 भारत सरकार/Government of India
 जल शक्ति मंत्रालय/Ministry of Jal Shakti
 जल संसाधन, नदी विकास और गंगा संरक्षण विभाग
 Department of Water Resources,
 River Development & Ganga Rejuvenation
 केन्द्रीय भूमि जल बोर्ड/Central Ground Water Board,
 West Central Region
 अहमदाबाद/Ahmedabad

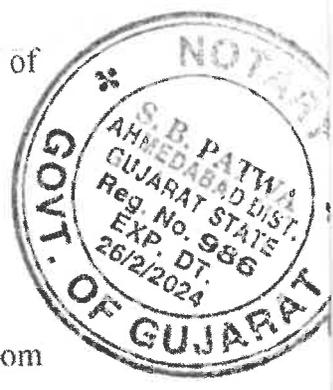
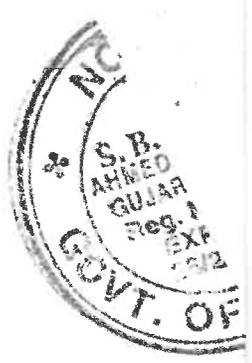
S. B. Patwa
 S. B. PATWA
 NOTARY
 GOVT. OF GUJARAT

17 SEP 2021

Notary Seal of S. B. Patwa, Ahmedabad District, Gujarat State, Reg. No. 986, Exp. Dt. 26/12/2024, Govt. of Gujarat.

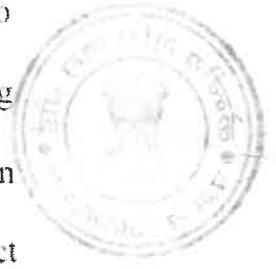
2

- 2. That I have read and understood order passed by the Hon'ble NGT and filing this Counter Affidavit in compliance of direction passed by the Hon'ble Tribunal.
- 3. That the contents of the original application that have not been specifically admitted hereunder or are matter of record be deemed denied.
- 4. That the deponent craves liberty to raise additional submission or file additional affidavits in case need arises during the course of arguments.



BRIEF SUBMISSIONS:

- 5. That the Applicant has under his Application sought direction from this Hon'ble Tribunal to direct Respondent No. 2 (GPCB) to issue closure orders to Respondent No. 6 (M/s SAL Steel Pvt. Ltd.) until all conditions of the NOC are complied with; to direct MOEF & CC to cancel the Environmental Clearance granted to Respondent No. 6; to direct Respondent No. 4 (CGWA) to seal 12 illegal tube wells being operated by Respondent No. 6 at Village Shinay; to direct relocation of Sponge Iron Plant and consequently the entire unit; to direct Respondent No. 6 to remediate the Environmental damage caused to agricultural fields of the Applicant; to impose heavy cost on



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 17/9/2024
 कार्यालय प्रमुख/Head of Office
 भारत सरकार/Government of India
 जल शक्ति मंत्रालय/Ministry of Jal Shakti
 जल संसाधन, नदी विकास और गंगा संरक्षण विभाग
 Department of Water Resources,
 River Development & Ganga Rejuvenation
 केन्द्रीय भूमि जल बोर्ड/Central Ground Water Board,
 West Central Region
 अहमदाबाद/Ahmedabad.

[Faint, illegible text in Devanagari script]

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disciplinary proceedings against erring officials under Section 28 of NGT Act, 2010 and to pass any other order as deemed fit and proper in the facts and circumstances of the case.

6. It is submitted that the Respondent No.6, M/s SAL Steel Pvt. Ltd. S.No. 245 P, Bharapar, Gandhidham, Kutch, Gujarat, has submitted online application for NOC dated 06.08.2019, for drawing 2506 m³/day of ground water from their existing 7 bore wells and proposed 4 bore-wells. The Respondent No.4, CGWA has granted online NOC dated 26.12.2019 permitting ground water extraction of saline water from their existing 7 bore-wells to the extent of 2,436 m³/day. The NOC is valid from 13.12.2019 to 12.12.2021 as per the terms and conditions prescribed under NOC.

True Copy of Application for NOC dated 06.08.2019 submitted by Respondent No. 6 is marked herewith and annexed as ANNEXURE – I.

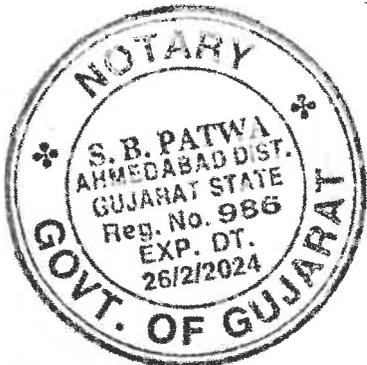
True Copy of NOC dated 26.12.2019 granted to M/s SAL Steel Ltd. is marked herewith and annexed as ANNEXURE – II.

PARA-WISE REPLY:

7. That the averments under Para I to III are matter of record and needs no reply from the answering respondent.

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17/1/2024

कार्यालय प्रमुख/Head of Office
भारत सरकार/Government of India
जल शक्ति मंत्रालय/Ministry of Jal Shakti
जल संसाधन, नदी विकास और गंगा संरक्षण विभाग
Department of Water Resources,
River Development & Ganga Rejuvenation
केन्द्रीय भूमि जल बोर्ड/Central Ground Water Board,
West Central Region
अहमदाबाद/Ahmedabad



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8. That the averments under Para 1 are related to violations under Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981 and EC norms does not pertain to CGWA except the averment of illegal extraction of ground water by Respondent No. 6 through twelve tubewells. It is submitted that NOC dated 26.12.2019 which is valid from 13.12.2019 upto 12.12.2021 was granted to Respondent No. 6 in respect of 7 bore-wells. In case the Respondent No. 6 is drawing ground water from more than 7 bore-wells and beyond permissible limits, the unit shall be liable for action in accordance with the provisions under Section 15 of the Environment Protection Act, 1986 or as may be decided by this Hon'ble Tribunal.



9. That the averments under Para 2 and 3 does not pertain to CGWA and as such does not warrant any reply from the answering respondent.



10. That the contents of Para 4 to 17 are pertinent to other respondents.

Hence the respectful submission is that the Respondent No.1 and 2 can be in a better position to counter the averments to the satisfaction of this Hon'ble Tribunal.

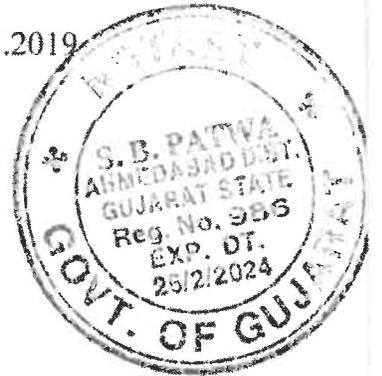


11. That the averments under Para 18 are pertinent to respondent No.2.

GPCB. The limited issue under the para is related to illegal ground

water extraction. The CGWA has granted NOC dated 26.12.2019

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13/11/2021
कार्यालय प्रमुख/Head of Office
भारत सरकार/Government of India
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जल संसाधन, नदी विकास और गंगा संरक्षण विभाग
Department of Water Resources,
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West Central Region
अहमदाबाद/Ahmedabad

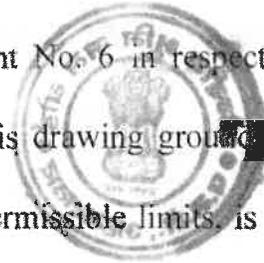


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which is valid upto 12.12.2021. Hence the averments of illegal ground water extraction may not be admitted in respect of 7 bore-wells permitted. It is further submitted that the complaint received from the applicant was forwarded to District Collector, Kutch vide letter dated 29.07.2019. True Copy of complaint letter dated 29.07.2019 forwarded to District Collector, Kutch is marked herewith and annexed as ANNEXURE – III.

12. The contents of Para 19 to 21 does not pertain to CGWA and hence, no comments are being offered by the answering respondent.

13. That in reply to averments under Para 22 to 24, it is respectfully submitted that the applicant under para has alleged that the respondent No.6 is drawing ground water from tube wells in nearby village Shinay, which is 3 k.m., away from project location at Bharapar village. The applicant also submitted that the issue is under judicial scrutiny before additional Civil Judge, Gandhidham, Kutch. It is again submitted that NOC dated 26.12.2019 which is valid from 13.12.2019 upto 12.12.2021 was granted to Respondent No. 6 in respect of 7 bore-wells. In case the Respondent No. 6 is drawing ground water from more than 7 bore-wells and beyond permissible limits, is liable for action in accordance with the provisions under Section 15 of the



S. B. Patwa
 17/9/2024
 कार्यालय प्रमुख/Head of Office
 भारत सरकार/Government of India
 जल शक्ति मंत्रालय/Ministry of Jal Shakti
 जल सहायता, नदी विकास और गंगा संरक्षण विभाग
 Department of Water Resources,
 River Development & Ganga Rejuvenation
 केन्द्रीय भूमि जल बोर्ड/Central Ground Water Board,
 West Central Region
 अहमदाबाद/Ahmedabad

Environment Protection Act, 1986 or as may be decided by this Hon'ble Tribunal.

REPLY TO GROUNDS:

14. In reply to the contents of Para (i) to (xii) and (xiv), the respectful submission of the answering respondent is that the averments by and large are pertinent to other respondents and do not pertain to CGWA.
15. In reply to the contents of Para (xiii) it is submitted that NOC dated 26.12.2019 which is valid from 13.12.2019 upto 12.12.2021 was granted to Respondent No. 6 in respect of 7 bore-wells.

In view of above submissions, it is respectfully submitted that the application may kindly be disposed with orders / directions as deemed fit and proper in the facts and circumstances of this case. The answering respondent may kindly be exempted from personal appearance.



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13/9/2021



DEPONENT
कार्यालय प्रमुख/Head of Office
भारत सरकार/Government of India
जल शक्ति मंत्रालय/Ministry of Jal Shakti
जल संसाधन, नदी विकास और गंगा संरक्षण विभाग
Department of Water Resources,
River Development & Ganga Rejuvenation
केन्द्रीय भूमि जल बोर्ड/Central Ground Water Board,
West Central Region
अहमदाबाद/Ahmedabad



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VERIFICATION:

Verified at Ahmedabad, on this 17th. day of September, 2021, that the contents of the above affidavit are true and correct to my knowledge. No part of it is false and nothing material has been concealed there from.



Schud
17/9/2021



DEPONENT
कार्यालय प्रमुख/Head of Office
भारत सरकार/Government of India
जल शक्ति मंत्रालय/Ministry of Jal Shakti
जल संसाधन, नदी विकास और गंगा संरक्षण विभाग
Department of Water Resources,
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केन्द्रीय भूमि जल बोर्ड/Central Ground Water Board,
West Central Region
अहमदाबाद/Ahmedabad



SOLEMNLY AFFIRMED
BEFORE ME
S. B. Patwa
S. B. PATWA
NOTARY
GOVT. OF GUJARAT

17 SEP 2021

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ANNEXURE-I

Government of India
Central Ground Water Authority (CGWA)
Ministry of Water Resources, River Development and Ganga Rejuvenation
Applications for Issue of NOC to Abstract Ground Water (NOCAP)

**Application for Permission to Abstract Ground Water for Industrial Use
(Application For New NOC)**

Application Number : 21-4/5301/GJ/IND/2019

1. General Information:

Water Quality:	Saline/ Brackish
Application Type Category/ Type of Application:	Steel Industry
(i) Name of Industry:	SAL STEEL LIMITED
(ii) Location Details of the Industrial Unit- (Attach Approved Site Plan with Location Map) (\$)	
Address Line 1 :	PLOT NO.: 245/P,
Address Line 2 :	
Address Line 3 :	
State:	GUJARAT
District:	KACHCHH
Sub-District:	GANDHIDHAM
Village/Town:	Bharapar
Latitude:	23.014444
Logitude:	70.102500
Area Type :	Non-Notified
Area Type Category :	Saline
(iii) Communication Address	
Address Line 1:	SHAH ALLOYS CORPORATE HOUSE
Address Line 2:	BLOCK NO. 2221
Address Line 3:	SOLA- KALOL ROAD
State:	GUJARAT
District:	GANDHINAGAR
Sub-District:	KALOL
Pincode:	382721
Phone Number with Area Code:	
Mobile Number:	91 8238715987
Fax Number:	
E-Mail:	mashaikh@shahalloys.com

(iv) Salient Features of the Industrial Activity:

Manufacturer of Ferro Alloys, Hr Coil/plate/Structural Steel/Beam, Angleschannals, Jh Beams, SS Ingot Round, Flate, Plate, Coil, Angel, and Other Structural Material And Electricity Power (Cpp)

(v) Land Use Details of the Existing / Proposed Industrial Unit Premises Ownership of the Land :

Land Use Details	Existing (sq meter)	Proposed (sq meter)	Grand Total (sq meter)
Green Belt Area	0.00	0.00	0.00
Open Land	797959.17	0.00	797959.17
Road/ Paved Area	39583.34	0.00	39583.34

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Government of India
Central Ground Water Authority (CGWA)
Ministry of Water Resources, River Development and Ganga Rejuvenation
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Application for Permission to Abstract Ground Water for Industrial Use
(Application For New NOC)

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Rooftop area of building/ sheds	42705.49	0.00	42705.49
Total	880248.00	0.00	880248.00
(vi) Drainage in the Area (River/ Nala etc) :	A channel named Mithi River is 2-3kms from the study area which meets the Gulf of Kutch near Kukadsar		
(vii) Source of Availability of Surface Water for Infrastructure Use (Submit Water Availability / Non Availability Certificate):(\$)	Letter From GWIL supply of surface water 600 m3/day against company requirement of 2506 m3/Day is submitted. Declaration of Nonavailable of Surface Water is attached		
(viii) Average Annual Rainfall in the Area (in mm):	408.00		
(ix) Townships / Villages (Within 2km Radius of the Industrial Unit):	Village: Bharapar		
(x) Whether Ground Water Utilization for:	Existing Industry		
Date of Commencement Industry:	27/10/2005		
Date of Expansion :			

2. Details of Water Requirement (Fresh and Recycled Water Usage):

(Please Enclose Water Balance Flow Chart of Activities and Requirement of Water at each Stage) (\$)

(i) Total Water Requirement (a+b+c+d) (m3/day)

	Existing	Proposed	Total
Water Requirement Details (Fresh Water) (m3/day)			
(a) Ground Water Requirement (m3/day):	2506.00	0.00	2506.00
(b) Surface Water Available (Canal, River, Ponds etc.) (m3/day):	600.00	0.00	600.00
(c) Water Supply from Any Agency (m3/day):	0.00	0.00	0.00
Total Fresh Water Requirement (a+b+c)(m3/day):	3106.00	0.00	3106.00
(d) Recycled Water Usage (m3/day):	3400.00	0.00	3400.00
Total Water Requirement : (a+b+c+d)(m3/day)	6506.00	0.00	6506.00

(ii) Breakup of Water Requirement and Usage:

Activity	Existing Requirement (m3/day)	Proposed Requirement (m3/day)	Total Requirement (m3/day)	No. of Operational Days in a Year	Annual Requirement (m3/year)
Industrial Activity	6305.00	0.00	6305.00	360	2269800.00
Residential / Domestic	51.00	0.00	51.00	360	18360.00
Greenbelt Development /Environment Maintenance	100.00	0.00	100.00	360	36000.00
Other Use	50.00	0.00	50.00	360	18000.00
Grand Total	6506.00	0.00	6506.00		2342160.00

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Government of India
Central Ground Water Authority (CGWA)
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(iii) Breakup of Recycled Water Usage:

	(m3/day)	(Days)	(m3/year)
(a) Total Waste Water Generated :	3400.00	360	1224000.00
(b) Quantity of Treated Water Available	3400.00		
i). Reuse in Industrial Activity:	3250.00	360	1170000.00
ii). Reuse in Green Belt Development:	100.00	360	36000.00
iii). Other Uses:	50.00	360	18000.00
(c) Total Treated Water Utilized:	3400.00		1224000.00

Net Ground Water Requirement: 2506.00 (m3/day)

3. (a). Groundwater Abstraction Structure- Existing:

Number of Existing Structures:

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SNo.	Type of Structure Name / Year of Construction	Depth (Meter) / Diameter (mm)	Depth to Water Level (Meters below Ground Level)	Discharge (m3/Hour)	Operational Hours (Day) / Days (Year)	Mode of Lift Name	Horse Power of Pump	Whether Fitted with Water Meter	Whether Permission Registered with CGWA / If so Details Thereof
1	Borewell / 2005	46.00 / 254	30.00	65.00	- / -	Submersible Pump	15.00	No	No / -
2	Borewell / 2005	46.00 / 254	30.00	65.00	- / -	Submersible Pump	15.00	No	No / -
3	Borewell / 2005	52.00 / 355	30.00	90.00	- / -	Submersible Pump	25.00	No	No / -
4	Borewell / 2005	61.00 / 406	30.00	90.00	8 / 360	Submersible Pump	25.00	No	No / -
5	Borewell / 2006	76.00 / 406	30.00	90.00	8 / 360	Submersible Pump	25.00	No	No / -
6	Borewell / 2008	76.00 / 406	30.00	90.00	8 / 360	Submersible Pump	25.00	No	No / -
7	Borewell / 2009	76.00 / 406	30.00	90.00	4 / 360	Submersible Pump	25.00	No	No / -

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Government of India
Central Ground Water Authority (CGWA)
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Application for Permission to Abstract Ground Water for Industrial Use
(Application For New NOC)

Application Number : 21-4/5301/GJ/IND/2019

(b). Groundwater Abstraction Structure- Proposed:

Number of Proposed Structures:

4

S.No.	Type of Structure Name / Year of Construction	Depth (Meter) / Diameter (mm)	Depth to Water Level (Meters below Ground Level)	Discharge (m3/Hour)	Operational Hours (Day) / Days (Year)	Mode of Lift Name	Horse Power of Pump	Whether fitted with Water Meter	Whether Permission Registered with CGWA / If so Details Thereof
1	Borewell / -	76.00 / 406	30.00	90.00	- / -	Submersible Pump	25.00	No	No / -
2	Borewell / -	76.00 / 406	30.00	90.00	- / -	Submersible Pump	25.00	No	No / -
3	Borewell / -	76.00 / 406	30.00	90.00	- / -	Submersible Pump	25.00	No	No / -
4	Borewell / -	76.00 / 406	30.00	90.00	- / -	Submersible Pump	25.00	No	No / -

4. Groundwater Availability (Please Enclose a Comprehensive Report / Note on Groundwater Condition in and Around the Area) Applicable to Industries Consuming Greater Than 500 m3/day : (\$)

Detail Hydrological report submitted here

5. Details of Rainwater Harvesting and Artificial Recharge Measures Proposed / Implemented. If Ground Water Recharge outside the Industrial Unit Premises, then provide NOC from the Concern Authority / Agency if Already implemented, details may be furnished. (Attach Rainwater Harvesting /Artificial Recharge Proposal).(\$)

Rainwater recharge proposal submitted here

6. Consent to Operate / Establish / Approval Letter from Statutory Bodies viz Ministry of Environment & Forests (MoEF) or State Pollution Control Board (SPCB) or State Level Expert Appraisal Committee (SEAC) or State Level Environment Impact Assessment Authority (SLEIAA):(\$)

Attached Consent/ Approval of Government Agency (Previous: Referral Letter)

S.No	Consent /Approval of Government Agency	Attachment Name	File Name
1	State Pollution Control Board	Consent	4_GPCB CC&A renewal.pdf

7. Have You Applied Earlier for Groundwater Clearance from CGWA / State Government Agency:

If Yes, so Details thereof with Status:

INDUSTRIAL USE- Self Declaration

- It is to certify that no case related to ground water withdrawal/ contamination is pending against the industry/ project/ unit as on date. Any such case filed against the company/ project/ unit in respect of ground water withdrawal/ contamination during the pendency of this application shall be immediately brought to the notice of CGWA.
It is to Certify that the Data and Information Furnished Above are True to the Best of My Knowledge and Belief and I am Aware that if Any Part of the Data / Information Submitted is Found to be False or Misleading at Any Stage the Application will be Rejected Out Rightly.

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Government of India
Central Ground Water Authority (CGWA)
Ministry of Water Resources, River Development and Ganga Rejuvenation
Applications for Issue of NOC to Abstract Ground Water (NOCAP)

**Application for Permission to Abstract Ground Water for Industrial Use
(Application For New NOC)**

Application Number : 21-4/5301/GJ/IND/2019

1. Application Proforma is Subject to Modification from Time to Time.
2. Application should be submitted to Regional Office.

Regional Director, Central Ground Water Board West Central Region, Swami Narayan College, Building, Shah Alam Tolnaka, AHMADABAD, GUJARAT, 380022

3. Incomplete Application will be Summarily Rejected.

Submitted Application will not be Processed till the Print Out of the Signed Complete Application is Submitted to Regional Office.

4. Applicant has to Submit Processing Fee of Rs. 1000.00/- (Rupees One Thousand Only) through NON TAX RECEIPT PORTAL (<https://bharatkosh.gov.in>). A receipt will be generated. Please fill in the Transaction Ref No. and Date from the receipt, in print out of application and attach receipt along with hard copy of application.

Bharatkosh Details:-

Transaction Ref
Number:-

Dated:-

Note:- The Processing Fee is Non-Refundable. Applicant should ensure and Check Eligibility of Submission of Application and Required Documents before Submitting Online Application.

Attached Files:

- 1). Site Plan with Location Map (Previous: Site Plan) : (Refer: 1 (ii))

S.No	Attachment Name	File Name
1	Site plan	1_Siteplan.pdf

- 2). Certified Revenue Sketch : (Refer: 1 (ii))

No Attachment Found!

- 3). Documents of Ownership / Lease : (Refer: 1 (v))

No Attachment Found!

- 4). Source Water Availability/Non-availability Certificate(Previous: Source of Availability of Surface Water) : (Refer: 1 (vii))

S.No	Attachment Name	File Name
1	letter of non available SW	2 a_Letter of non avaibale SW.pdf
2	Agreement letter of GWIL	2_GWIL Agreement letter.jpg

- 5). Water Balance Flow Chart (Previous: Enclose Flow Chart of Activity and Requirement of Water): (Refer: 2)

S.No	Attachment Name	File Name
1	Waterfowl chart	3_Waterflow chart.pdf

- 6). Hydrogeological Report(Previous: Groundwater Availability Report) : (Refer: 4)

S.No	Attachment Name	File Name
1	Hydro geological Report	4_Hydrological_Report new.pdf

- 7). Rain Water Harvesting/Artificial Recharge proposal(Previous: Details of Rainwater Harvesting / Artificial Recharge Measures) : (Refer: 5)

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Government of India
Central Ground Water Authority (CGWA)
Ministry of Water Resources, River Development and Ganga Rejuvenation
Applications for Issue of NOC to Abstract Ground Water (NOCAP)

**Application for Permission to Abstract Ground Water for Industrial Use
(Application For New NOC)**

Application Number : 21-4/5301/GJ/IND/2019

S.No	Attachment Name	File Name
1	Rainwater harvesting proposal	5_Rainwater_Harwesting .pdf

8). Authorization Letter (Previous: Authorization) :

S.No	Attachment Name	File Name
1	Authorization letter	6_Authority Letter.pdf

10). Ground Water Quality Report(Previous: Non-Polluting Effluent) :

S.No	Attachment Name	File Name
1	GW Analysis report	8_GW Analysis report.pdf

11). Extra Attachment :

S.No	Attachment Name	File Name
1	Industry profile	9_Industry profile.pdf
2	Land Ownership Document	9_Land Ownership Document.pdf

12). Scanned Industrial Application :

No Attachment Found!

For, S.A.L. STEEL LTD.



Authorised Signatory

Name & Signature of the applicant

(With official seal)

Date :

Place :

Associated User : SAL

Submitted By User : SAL

Submission Date : 06/08/2019

* In case signed by any authorized signatory, the details of the signatory with the authorization shall be enclosed.

ANNEXURE-II 14



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:	M/s Sal Steel Limited		
Project Address:	Plot No. 245/P		
Village:	Bharapar	Block:	Gandhidham
District:	Kachchh	State:	Gujarat
Pin Code:	370205		
Communication Address:	Shah Alloys Corporate House, Block No 2221, Sola- Kalol Road, Kalol, Gandhinagar, Gujarat - 382721		
Address of CGWB Regional Office :	Central Ground Water Board West Central Region, Swami Narayan College Building, Shah Alam Tolnaka, Ahmadabad, Gujarat - 380022		

1. NOC No.:	CGWA/NOC/IND/ORIG/2019/8854									
2. Application No.:	21-4/5301/GJ/IND/2019	3. Category:	Industry							
4. Project Status:	Existing Project	5. NOC Type:	New							
6. Valid from:	13/12/2019	7. Valid up to:	12/12/2021							
8. Ground Water Abstraction Permitted:										
Fresh Water		Saline Water		Dewatering		Total				
m ³ /day	m ³ /year	m ³ /day	m ³ /year	m ³ /day	m ³ /year	m ³ /day	m ³ /year			
		2436.00	876960.00			2436.00	876960.00			
9. Details of ground water abstraction /Dewatering structures										
Total Existing No.:7					Total Proposed No.:0					
	DW	DCB	BW	TW	MP	DW	DCB	BW	TW	MP
Abstraction Structure*	0	0	7	0	0	0	0	0	0	0
*DW- Dug Well; DCB-Dug-cum-Bore Well; BW-Bore Well; TW-Tube Well, MP-Mine Pit										
10. Quantum of ground water recharge/harvesting(m ³ /year):	238014.00									
11. 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)

Digitally signed by
NANDAKUMARAN P
Date: 2019.12.26 13:58:52 +05'30'

सदस्य (केन्द्रीय भूमि जल प्राधिकरण)
Member (CGWA)

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

पानी बचाये - जीवन बचाये
SAVE WATER - SAVE LIFE

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

1. 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).
2. 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).
3. All new as well as existing ground water abstraction/ de-watering structures shall be fitted with digital water flow meters by the firm at its own cost immediately on completion of their construction or grant of NOC as the case may be. In case of renewal of NOCs, all existing ground water abstraction structures shall continue to be fitted with digital water flow meters. Intimation of installation of flow meters shall be sent by the proponent to the Regional Director of CGWB within 6 months of grant of NOC. Daily ground water abstraction data shall be monitored / continue to be monitored (in case of renewal) by the firm and recorded in a log book. Details of month-wise ground water abstraction shall be submitted to the Regional Director, CGWB, once every year.
4. In case the ground water abstraction is more than 10 m³/day, monthly water level monitoring data shall be maintained and submitted annually to the Regional Office of CGWB. Wherever groundwater withdrawal is more than 500 m³/day, the firm shall install telemetry system in one of the piezometers and share USER ID and password of the telemetry system with the Regional Director, CGWB.
5. In case ground water abstraction is more than 10 m³/day, ground water quality shall be monitored once in a year (during pre- monsoon period) and the report submitted to the Regional Office, CGWB. Wherever the extraction is less than 10 m³/day, ground water quality report shall be submitted by the proponent at the time of submission of self-compliance report.
6. Ground water augmentation/harvesting measures, as stipulated in the NOC, shall be implemented (in new cases) / continue to be maintained (in case of renewal) in consultation with the concerned Regional Director, CGWB.
7. Proof of recharge/water harvesting structures constructed (photographs of structures) shall be submitted to the concerned Regional Director, CGWB within 6 months from the date of issue of NOC. The firm shall also undertake periodic maintenance of recharge/water harvesting structures at its own cost.
8. 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.
9. 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.
10. The firm shall optimize water use through recycling/ reuse of waste water after proper treatment.
11. 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.
12. 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.
13. 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.
14. The firm shall report compliance of the NOC conditions online in the website (www.cgwa-noc.gov.in) within one year from the date of issue of this NOC.
15. 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.
16. This NOC does not absolve the proponents of their obligation / requirement to obtain other statutory and administrative clearances from appropriate authorities.
17. 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.
18. 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.
19. 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.

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

T.C.

ANNEXURE-III

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भारत सरकार / Govt. of India
जल शक्ति मंत्रालय / Ministry Jal Shakti
जल संसाधन, नदी विकास और गंगा संरक्षण विभाग
Department of Water Resources, River Development & Ganga Rejuvenation
केन्द्रीय भूमि जल बोर्ड / Central Ground Water Board
पश्चिम मध्य क्षेत्र / West Central Region
स्वामीनारायण कॉलेज बिल्डिंग, शाहआलम टोलनाका, अहमदाबाद-22, गुजरात
Swaminarayan College Building, Shah Alam Tol Naka, Ahmedabad-22, Gujarat.
टेलीफोन : 079-25320476, 25330009, फ़ैक्स : 079-25329379,
ईमेल : rdwcr-cgwb@nic.in, tswcr-cgwb@nic.in, वेबसाइट : cgwb.gov.in

No. WCR/CGWA/Complaints/2019-20/ 1559

Date: 29.07.2019

To

29 JUL 2019

The District Collector
District Seva Sadan
Near Circuit House, Mandvi Road,
Nr. Mota Bandh. Bhuj,
District - Kachchh, Gujarat.

Sub - Reg complain received against M/s Sal Steel Pvt Limited, Village -- Bharapar, Taluka -- Gandhidham, District -- Kachchh

Sir

With reference to above cited subject, forwarding the complaint against M/s Sal Steel Pvt Limited, Village -- Bharapar, Taluka -- Gandhidham, District -- Kachchh, as received from the villagers regarding illegal abstraction of groundwater. It is to inform that, M/s Sal Steel Pvt Ltd has also not applied for NOC from CGWA for groundwater abstraction.

The application received along with attachment is enclosed for your kind information and necessary action.

Encl: as above

(Saurabh Gupta)
Superintending Hydrogeologist
Head Of office

Copy to:

Sh. N. Devrajbhai Jaru, Village -- Kindana, Bharapar, Taluka -- Gandhidham, District -- Kachchh for information.

T.C.



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**VAKALATNAMA
BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI**

Appeal/Original Application No. 104 of 2019(WZ)

IN THE MATTER OF :

Nitin Devraj Jaru & Another

..... APPLICANT

VERSUS

Union of India & Others

..... RESPONDENT

Know ALL to whom these present shall come that I Sanjeev Mehrotra Aged about 58 years S/o Sh.Kailash Chandra Mehrotra, Working as Scientist D & Head of Office having office at Swamy Narayan College Building, Gita Mandir Road, Shahalam Tolnaka, Ahmedabad -380022. The above named do hereby appoint (herein after called the advocate/s) to be my/our Advocate in the above noted case authorized him:-

To act, appear and plead in the above-noted case in this Tribunal in which the same may be tried or heard subject to payment of fees by CGWB. To sign, file verify and present pleadings, appeals cross objections or petitions for execution review, revision, withdrawal, compromise or other applications/petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages. To file and take back documents to admit and/or deny the documents of opposite party. To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. To take execution proceedings. The deposit, draw and receive money AND cheques towards compensation, grant receipts thereof and to do all other lawful acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case. And I/We the undersigned do hereby agree to ratify and confirm all lawful acts done by the Advocate or his substitute authorized by Tribunal in the matter as my/our own acts, as if done by me/us to all intents and purpose. And I/We undertake that I /We or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain himself.

And I /we the undersigned do hereby agree that I the event of the whole or part of the fee agreed by me/us to be paid in terms of M/o law & Justice OMs/Orders/guidelines, to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Tribunal. I/We hereby agree that once the fee is paid. I/we will not be entitled for the refund of the same unless it is erroneously settled and if the case prolongs for more than 3 years the fee shall be regulated in accordance with guidelines of M/o Law & Justice issued from time to time.

IN WITNESS WHEREOF I/WE do hereunto set my /our hand to these presents the contents of which have been understood by me/us on this 08th day of June 2021.

Accepted subject to the terms of the fees prescribed by M/o Law & Justice for case in NGT.

ARDHENDUMAULI KUMAR PRASAD
Senior Central Government Standing Counsel
A-52, Sector 17-A, Noida, U.P. 201301
Mobile No. 9818612800
E-mail : maid@ardhendumauli.com

CHENT

08/6/2021

कार्यालय प्रमुख / HEAD OF OFFICE
केन्द्रीय भूमि जल बोर्ड / Central Ground Water Board
पश्चिम मध्य क्षेत्र / West Central Region
जल संसाधन, नदी विकास और गंगा संरक्षण मंत्रालय
Ministry of Water Resources, River Development & Ganga Rejuvenation
भारत सरकार / Government of India
अहमदाबाद / AHMEDABAD.

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Ardhendumauli Prasad <mail@ardhendumauli.com>

Reply (CGWA Respondent No. 4) : O.A. No. 104 of 2019 (WZ) : Nitin Devraj Jaru & Anr. Versus Union of India & Ors

1 message

Chambers of Mr. Ardhendumauli Kr. Prasad <mail@ardhendumauli.com>
To: saumya@eldfindia.com

Wed, Sep 22, 2021 at 7:58 PM

Ma'am,

Please find attached reply to be filed on behalf of Respondent No. 4 (Central Ground Water Authority) in the above-captioned matter.

Kindly treat this as an effective service.

Regards,
Ashish Madaan
Advocate

FOR:**Mr. Ardhendumauli Kumar Prasad**Advocate on Record
Supreme Court of India**Office:**A-52, Sector 17A,
NOIDA - 201301
IndiaPh: +91 120 2488 800
+91 120 2488 801
+91 120 2488 802

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**Reply_CGWA OA No. 104 of 2019 (WZ) Nitin Devraj Jaru & Anr Versus UOI & Ors.pdf**
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