

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA
ORIGINAL APPLICATION NO. 82 OF 2023**

IN THE MATTER OF:

SANTOSHPUR MITALI SANGHA APPLICANT

VERSUS

STATE OF WEST BENGAL AND ORS. RESPONDENTS

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Date: 25.01.2024.

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA
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SANTOSHPUR MITALI SANGHA APPLICANT

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STATE OF WEST BENGAL AND ORS. RESPONDENTS

**REJOINER TO THE COUNTER AFFIDAVIT OF RESPONDENT NO.8
DATED 08.12.2023 ON BEHALF OF THE APPLICANT**

MOST RESPECTFULLY SHOWETH:

1. The Applicant has filed the above-mentioned Original Application under Sections 14, 15 read with Section 20 of the National Green Tribunal Act, 2010 raising a 'substantial question relating to the environment' as defined under Section 2(m) of the Act regarding the illegal and unscientific operation of Suravi Sadan Goshala, under Rajasthan Gokalyan Trust located at Santoshpur, North 24 Parganas, West Bengal – 743248 in complete violation of the **Guidelines for Environmental Management of Dairy Farms and Gaushalas**, July 2021 by CPCB and directions of this Hon'ble Tribunal in the matter titled **Nuggehalli Jayasimha vs. Government of NCT of Delhi (O.A. No. 46 of 2018)**.
2. That the instant Rejoinder is being filed in response to the Counter Affidavit dated 08.12.2023 filed by Respondent No. 8, Rajasthan Gokalyan. At the outset, the Applicant denies various statements which have been made and nothing in the Counter Affidavit dated 08.12.2023 filed by Respondent No. 8 should be deemed to be admitted by the Applicant for want of specific traverse, unless the same has been specifically admitted herein or is part of the record.

3. The main contentions of the Respondent No. 8, Rajasthan Gokalyan that needs rebuttal are as follows:
- I. ETP was set up for handling waste water generated in the Gaushala and with the increase in number of cows, wastewater increased from time to time and accordingly the capacity of the said ETP was also increased from time to time.
 - II. Suravi Sadan Gaushala has not violated or polluted and the unit is not operating in any illegal and unscientific manner.
 - III. No cow dung or fodder or untreated waste water is discharged or dumped into the adjacent or agricultural land hence no question of clogging of drainage.
 - IV. Respondent was unaware and ignorant of CPCB 2021 Guideline and hence never applied for Consent to Operate from the WB PCB.
 - V. Respondent No. 8 has applied for Consent to Operate as per prevailing rules on August 28, 2023 and the same was granted by WB PCB on August 28, 2023.
 - VI. No permission for extraction of groundwater is required for domestic use i.e., for cleaning, washing and consumption hence required permission is not taken.

**REJOINDER TO THE COUNTER AFFIDAVIT DATED
08.12.2023 OF R-8, RAJASTHAN GOKALYAN:**

- I. ETP was set up for handling waste water generated in the Gaushala and with the increase in number of cows, wastewater increased from time to time and accordingly the capacity of the said ETP was also increased from time to time:**
 - i. The contention of the Respondent No. 8 in Para No. 5(n) of the Counter Affidavit dated 08.12.2023 has

asserted that the capacity of the said ETP installed within the Gaushala is increased from time to time is incorrect and hence denied. The contention of the Respondent No. 8 is contrary to the findings of the Joint Committee report and hereby submits that the Joint Committee Report dated 22.09.2023 constituted by this Hon'ble Tribunal. The Joint Committee in its report dated 22.09.2023 has given categorical finding that though ETP was found at the site but was not connected with any drain. This shows that the ETP was not operational at any point of time and the same is under-capacity. The relevant part of the Joint Committee report is reproduced here for reference:

*"The unit has installed an ETP which is under commissioning for treatment of this wastewater claimed to have a capacity of 40KLD but **the representative of the unit could not explain/show the drainage network by which the wastewater leads to ETP. Gradient of most of the drainage system is opposite to the ETP. No such collection pit or transfer pit for transfer of waste water to ETP was found.***

[...]

The capacity of the ETP as stated by the unit is seemed to under-capacity considering the quantity of wastewater generation."

Thus, it is evident from the findings of the Joint Committee that the ETP was not operational and the ETP installed is under capacity thereby discharging majority of the untreated effluents into the adjacent agricultural land causing large scale pollution. The Applicant thus submits that the ETP is inadequately functioning despite unit being a 'Large' Category Gaushala. Entire cow urine, dung and wastewaters from bathing are washed into the adjacent agricultural fields which

eventually gets released into the ponds leading to tremendous ecological degradation. The local bodies as well as the WB SPCB has taken no action and has miserably failed to ensure and prevent the discharge of untreated wastewaters outside the premises. The illegal discharge of untreated effluents into the adjacent agricultural fields has eventually been released into the adjacent ponds thereby leading to death of large number of fishes and causing infertility of the agricultural fields.

Copy of the images taken by the Applicant showing death of fishes in the ponds due to discharge of effluents from the Gaushala are annexed as **ANNEXURE A/1**.

- ii. Further, it is also pertinent to note that there are approximately 1600 number of cattle. The Joint Committee Report further states that the amount of solid waste (cow dung) generated is 22500-30000 kg/day and waste water (urine and bathing water) generated is 168000-171000 L/day. That the ETP installed inside the unit is evidently below the capacity to treat such amount of wastes discharged as a result of which the large scale pollution is witnessed in the area thereby grossly affecting the adjacent agricultural fields which has completely lost its fertility to yield crops. That such violation is persisting since 2012 and no necessary action has been initiated till date. That the Joint Committee Report has also recorded the same with regard to the under-capacity of the ETP. The Joint Committee Report also highlights that very less quantity of dung is used for making cow dung cakes and major portion of the cow dung are kept in heaps:

*"The industry claimed to produce Bio-gas from cow dung which is consumed in house. **First-hand observation in and around Bio-Gas Plant it appears that the plant is not designed properly and the operation of the same was discontinuous. The operator and management could not explain the mode of disposal of sludge from dung storage pit and mixer. The Bio-gas is stored in storage balloons which has safety issues too.***

Very less quantity of dung is used for making cow dung cakes which is solely manual. The residue of bio-gas plant and some cow dung is claimed to be utilized used for production of organic manure. However, no scientific composting or vermin-composting facility was observed. The cow dung is kept in heaves within industry premises.

*The unit generates Bio-Medical Waste during treatment of livestock. The Bio-medical waste is not segregated and disposed in compliance with the Bio-Medical Waste Management Rules, 2016. **During inspection, unsegregated Bio-Medical Waste was found stored in plastic bags. It was also informed that these collected unsegregated wastes are simply handed over to unauthorized collector without even crushing or cutting the injection needle."***

Thus, it is significant to note that as per the Joint Committee Report, the management couldn't clarify the sludge disposal process, and there major are safety concerns with the bio-gas storage balloons. That only a small amount of dung is manually used for making cow dung cakes, and there's no proper composting facility for the claimed organic manure production. The unit further generates biomedical waste during livestock treatment, but it's not segregated or disposed of following the Bio-Medical Waste Management Rules, 2016. Unsegregated biomedical waste is stored in plastic bags and handed over to an unauthorized collector without proper treatment or disposal. Furthermore, the Applicants herein submit that the unit has made a dung pond inside their premise and thereby

dumping all the untreated wastes inside the dung pond causing contamination of groundwater. Hence, the unit is functioning in a complete unscientific manner in blatant violations of law.

Copy of the images taken shows the heaps of cow dung lying against the boundary wall adjacent to the agricultural fields are annexed herewith as **ANNEXURE A/2.**

II. Suravi Sadan Gaushala has not violated or polluted and the unit is not operating in any illegal and unscientific manner:

- i. The contention of Respondent No. 8 in Para No. 7 of the Counter Affidavit dated 08.12.2023 that the Gaushala has not violated any law and has not caused any pollution is incorrect and hence denied. The Applicant herein completely denies such contention as raised by Respondent No. 8. The Applicant herein submits that the unit has been operating since 2012 as recorded by the Joint Committee in its Report without any valid Consent to Operate in complete violation of Section 25 of the Water Act which mandates that no person shall establish or run a unit without prior consent of the Pollution Control Board. Further, the unit has been operating in complete contravention to the provisions of the '**Guidelines for Environmental Management of Dairy Farms and Gaushalas**' published by the CPCB, 2021 and also in absolute violation of the specific directions passed by the Hon'ble National Green Tribunal in the matter titled '**Nuggehalli Jayasimha vs. Government of NCT of Delhi (O.A. No. 46 of 2018)**' wherein *vide* order dated 08.07.2019 the CPCB was directed to come up with a Guideline for Environmental Management of

Dairy Farms and Gaushalas and through subsequent orders dated 20.05.2020 and 08.10.2020, mandated that all dairy farms and gaushalas shall abide by the provisions laid down in the CPCB Guidelines, July 2021, and the Suravi Sadan Gaushala has been operating in complete violation of all legal requirements. Thus, the contention raised by Rajasthan Gokalyan is absolutely false, incorrect and misleading as the same has been observed and recorded in the Joint Committee Report dated 22.09.2023 which gave the finding that:

"The filed visit revealed that the unit has violated land uses and even damaged agricultural land by discharging untreated effluent"

III. No cow dung or fodder or untreated waste water is discharged or dumped into the adjacent or agricultural land hence no question of clogging of drainage.

- i. The contention of the Respondent No. 8 in Para No. 9 of the Counter Affidavit dated 08.12.2023 that no cow dung or fodder or untreated waste water is discharged or dumped into the adjacent or agricultural land is incorrect and hence denied. The Applicant herein completely denies such contention of the Respondent No. 8. The Applicant in this regard submit that the Joint Committee Report dated 22.09.2023 has specifically given its observations/findings:

*"g) It has been observed during the physical enquiry that boundary walls of concerned gaushala compound are bounded by locality, virtually giving no gap between the gaushala and the locality on the Western and Eastern side and leaves a gap of 20 feet of a concrete road on the southern side. **On the northern, North-Western and North-Eastern side the***

compound boundary is adjacent to agricultural lands. It has also been observed that there are holes in the boundary walls which allows the overflowing waste water to pass over to the adjacent plots and which is the cause of public resentment.

[...]

Sri Ramkrishna Sarada Ashram is situated adjacent to eastern side of the unit which was established in 1999. A school having student capacity 70 is run by ashram. Distance between the Ashraam Canteen and cow shade is merely about 10 ft. Mitali Sangha and Santoshpur Primary School is situated at a distance of about 70 m from the unit at the South-West side.
Northern Side and Western Side of the unit is agricultural/vacant land.

[..]

No garland drain was observed to arrest surface generated waste water. However, direct discharge of effluent into the outside farming land/pond was observed along East to /West boundary wall of cow shed. Majority of existing drains inside the premises was found clogged of untreated waste water outside the boundary wall. There is ample scope to spill surface run off to adjacent farm land owned by villagers.

[...]

Dumping/accumulation of cow dung slurry and waste water of the unit were found outside the boundary wall of the unit as well as in the open field of the complaint's agricultural/low lying land."

- ii. Further, it is pertinent to note that the Joint Committee Report has accepted that there is a damage to the adjacent agricultural land due to the unscientific discharge of the untreated effluents from the Gaushala and in this regard has given the observation that:

"One day site visit is not sufficient to assess the extent of damage of agricultural land and subsequent loss in crop production already done by the unit. Therefore, opinion of experts from Agricultural Department for detail damage assessment may be proposed before imposing the EC."

- iii. Furthermore, the Applicant also submits that a laboratory test of the wastewater effluents that are discharged from Suravai Sadan Gaushala was conducted. The samples of the wastewater effluents were collected on 20.05.2023 and the report of the test results were issued on 26.05.2023. It is crucial to note that the presence of Total Suspended Solids (TSS), Chemical Oxygen Demand (COD) and Biochemical Oxygen Demand (BOD) is higher beyond the permissible limits as prescribed and permitted by the Environment (Protection) Rules, 1986:

<i>Wastewater Effluents</i>	<i>Test Results Observed</i>	<i>Standards as per EPR, 1986</i>
<i>Total Suspended Solids (TSS)</i>	882	150
<i>Biochemical Oxygen Demand (BOD)</i>	382	100
<i>Chemical Oxygen Demand (COD)</i>	733	250

That the test report clearly indicated the contamination of the drain through untreated wastewater discharge. The high BOD, COD and TSS clearly indicates that the gaushala is intermittently discharging untreated effluent into drain in complete violation to the prescribed parameters/standards as mandated under the Environment (Protection) Rules, 1986. Therefore, the submission of Respondent No. 8 is absolutely false, incorrect and misleading. The copy of the Environment (Protection) Rules, 1986 parameters showing permissible parameters for discharge of effluents and the Laboratory test report of the effluents dated 26.05.2023 as conducted by the Applicant are annexed as **ANNEXURE A/7 Pg No. 81-82 of the Original Application.**

IV. Respondent was unaware and ignorant of CPCB 2021 Guideline and hence never applied for Consent to Operate from the WB PCB:

- i. The Respondent No. 8 in Para No. 10 of the Counter Affidavit dated 08.12.2023 has submitted that the Respondent was unaware and ignorant of CPCB 2021 Guideline and hence never applied for Consent to Operate from the WB PCB. The Applicant herein highlights the well settled Latin maxim in law i.e., '*ignorantia juris non-excusat*,' which means '**ignorance of the law is no excuse**'. The principle implies that the Hon'ble Court presumes that every party is aware of the law and hence cannot claim ignorance of the law as a defence to escape liability. In this regard, the Applicant submit that this Hon'ble Tribunal in the matter titled **Ajay Shivajirao Bhosale and Others vs. MoEFCC & Ors. (2022 SCC OnLine NGT 2750)** has held that:

*"14. In view of EC condition in the case of the PP as well as legal position discussed in the judgment of the Goa Foundation v. UOI, it is clear that dumping of overburden by the PP outside the leased area was illegal. **Defence of the PP as accepted by the MoEF&CC fact that other lessees also committed such violations or that the PP misunderstood the legal position cannot be held to be valid. There is no parity in illegality nor ignorance of law can be an excuse. What is expressly prohibited by law can never be held to be legal or bonafide.** Accordingly, we hold that the PP acted illegally in dumping overburden outside leased area and is thus accountable for the same. The impugned order to the contrary is quashed."*

- ii. Further, this Hon'ble Tribunal in the matter titled **Maj. Gen. Harpreet Singh Bedi (Retd.) and Ors. vs.**

Vijay Singh, Dwarkadheesh Haveli Builders and**Ors. (2021 SCC OnLine NGT 1695) held:**

*"4.Further, establishment of Sewage Treatment Plant (STP) to treat 400 KLD of waste water was submitted before the Madhya Pradesh State Pollution Control Board (MPPCB) but it was not allowed and the version of the respondent is that the permission should be deemed to be permitted in accordance with the provisions contained in Section 25 of the relevant Act. **For the extraction of the ground water, it is stated that the borewell was existing prior to 1990 and thus it was not deemed to take permission from the Central Ground Water Authority (CGWA). The version as stated by the respondent is not tenable. Ignorance of law is no excuse. The advice against the provision of law cannot be made ground in defence.**"*

Thus, it is pertinent to note that the defence taken by the Respondent No. 8 that they were unaware and ignorant of CPCB 2021 Guideline and the mandate to obtain a valid CTO is a bad excuse in law. Moreover, the Applicant contends that even in the event that Respondent No. 8 was unaware of the 2021 CPCB Guidelines, it remains noteworthy that Section 25 of the Water Act explicitly stipulates that no individual shall establish or operate a unit without obtaining prior consent from the Pollution Control Board. This provision has been flagrantly disregarded in the present case. Hence, the Applicant submits that what is expressly prohibited by law can never be held to be legal or *bonafide*. Further it is pertinent to note that the CPCB Final Document dated 29.02.2016 on Classification of Industrial Sectors under Red, Orange, Green and White Category categorically states that all Red, Orange and Green Category Industries mandatorily needs to obtain prior consents from the Pollution Control Boards and there shall be no necessity of obtaining the Consent to Operate for White category of industries. The Respondent No. 8 despite being

fully aware that Gaushala does not fall under White Category
has made no attempt and effort to obtain valid CTO from the
WB PCB. That only after filing of the present matter, the unit has freshly applied for the CTO. Thus, Suravai Sadan Gaushala has newly applied for CTO and hence the siting criteria in Para No. 6.4 of the CPCB 2021 Guidelines is absolutely applicable for the Suravi Sadan Gaushala.

V. Respondent No. 8 has applied for Consent to Operate as per prevailing rules on August 28, 2023 and the same was granted by WB PCB on August 28, 2023:

- i. The Respondent No. 8 in Para No. 9 of the Counter Affidavit dated 08.12.2023 has submitted that the Respondent No. 8 has applied for Consent to Operate on August 28, 2023 and the same was granted by WB PCB on August 28, 2023. The Applicant herein submits that due to the persistent illegal and unscientific discharge of effluents, the present Original Application No. 82 of 2023 was filed on 25.07.2023 before this Hon'ble National Green Tribunal. The matter was first listed on 04.08.2023 whereby this Hon'ble Tribunal constituted a Committee and directed to conduct an inspection and to submit a factual and status report. It is significant to note herein that the unit has applied for CTO on 28.08.2023 only after the filing of the present petition and the same has been recorded in the Joint Committee Report dated 22.09.2023 submitted before the Hon'ble Tribunal:

"d) During the inspection, it has been found that the unit does not obtain valid 'Consent to Operate'. However, it has been informed that the unit has submitted Online 'Consent to Operate' application on 28.08.2023.

[...]

The unit has no valid Consent to Operate on the day of visit. As informed, the unit has submitted online Consent to Operate on 28.08.2023 just before the day of inspection."

- ii. The Applicant herein submits that an application for post facto CTO was submitted by the gaushala on 28.08.2023 only after the filing of the petition before the Hon'ble Tribunal and the post facto CTO has been granted on 21.09.2023 despite being fully conscious of the fact that the unit is operating in complete violation of several provisions of the Guidelines for Environmental Management of Dairy Farms and Gaushalas' published by the CPCB. Despite being aware of all the illegalities, CTO has been granted by the PCB. The Applicant herein contends that the PCB has overlooked the same and hence the CTO granted is bad in law. The Applicant in this regard submit that this Hon'ble National Green Tribunal in the matter titled **Abraham Thomas Kumily vs. Union of India 2015 SCC OnLine NGT 647** has categorically stated that prior CTO is to be obtained by a unit to proceed with its operation:

"In the present case, much against the provisions of law, the 5 respondent has put up construction and thereafter makes an application for "Consent to Establish" on 21.11.2014 for the purpose of putting up of ETP plant. It is unfortunate that even after the Board came to know that the building has been constructed by the 5 respondent without "Consent to Establish", the Board has not taken any strict action against 5 respondent either pulling down the construction or to resort to any other remedy available under Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974. It is informed that the Board has taken action under Water (Prevention and

*Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 and imposed a penalty of Rs. 50,000/- on the 5 respondent and the same has been paid. 12. Considering the above said factual matrix, even though fait accompli situation is created by the conduct of the 5 respondent as well as the conduct of the Board, taking note of the fact that the proposed activities of the 5 respondent is of "orange" category, we are of the view that a direction to pull down the construction will not serve any useful purpose. Therefore, we direct that the Board shall give suitable direction to the 5 respondent to make necessary application for "Consent to Establish" in accordance with law and the said application shall be scrutinised by the Board and pass appropriate orders, including conditions to be followed to enable the 5 respondent to apply for "Consent to Operate". **We make it clear that after the 5 respondent complies with those directions, it is open the 5 respondent to make necessary application for "Consent to Operate" and on physical verification thereafter it is for the Board to pass appropriate orders on the "Consent to Operate" application in the manner known to law. It is only after such "Consent to Operate" order is granted the 5 respondent shall proceed with its activities."***

- iii. Further, the Applicant also submit that it is important to note that the Hon'ble Supreme Court in the matter titled **Indian Oil Corporation. Ltd. v. V.B.R. Menon, (2023) 7 SCC 368** has stated that a valid CTE refers to the prior authorization granted by the Pollution Control Board, allowing the initiation of construction activities for an unit at a specific location and a valid CTO on the other hand, signifies the subsequent approval from the Pollution Control Board, permitting the commencement of regular operational activities of an unit and both needs to be obtained from the Pollution Control Board prior initiating the construction and operation. However, despite such

legal mandate, the Survai Sadan Gaushala has deliberately and blatantly flouted the provisions and has been operating illegally since 2012 without obtaining any valid CTO as mandated under Section 25 of the Water Act thereby causing large scale pollution:

"43. What is "consent to establish" (CTE) and what is "consent to operate" (CTO)? *Consent to establish (CTE) means the prior permission of the Pollution Control Board to begin the work of construction of petrol retailing outlet at any place. At this stage, the groundwater level in the proposed site, nature of the groundwater, its corrosive properties, availability of residential premises, schools, probable danger to environment from the proposed outlet, etc. would be considered by the Pollution Control Board. In case consent to establish it is given, the conditions to be complied with would be prescribed in order to safeguard the air ambience and groundwater quality and also the soil. The power in this regard is available under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974.*

44. Consent to operate (CTO) means after the establishment of the retail petroleum outlets, a certificate is issued permitting to commence operation. At this stage, the actual compliance of the conditions imposed while issuing the "consent to establish" are ascertained. In case, any additional measures are required to be undertaken, further orders would be issued. After satisfying about the complete safeguard to environment such certificate is issued. In case of a new outlet, the company will first get the consent to establish and after establishment and before operationalizing the petrol bank, the consent to operate is to be obtained. In existing outlets, the safeguards available in their units will have to be shown, thereby indicating and assuring the Pollution Control Board that the unit would not cause damage to the environment. After such satisfaction, the Pollution Control Board would issue a certificate permitting them to operate continuously. The object of the last direction is to ensure that the existing outlets are safe not only regarding air pollution but also against seepage to the

groundwater and soil. NGT has inherent power to issue this direction since it is only to ensure the safety of the existing units."

- iv. The Applicant contends that adherence to the Air Act and Water Act, it necessitates the mandatory obtainment of Consent to Establish (CTE) and Consent to Operate (CTO) prior to the initiation and ongoing operation of any industrial unit from the Pollution Control Board. However, in defiance of these legal prerequisites, the Gaushala was illicitly established and commenced operations since 2012 without obtaining any valid consent and thereby causing large scale pollution. Additionally, the unit deliberately refrained from applying for CTO, contravening the explicit mandate outlined in the CPCB Guidelines, 2021, and openly disregarding the specific provisions set forth in the same guidelines. Furthermore, despite being fully aware of the Gaushala's significant violations of the 2021 CPCB guidelines, an *ex-post facto* CTO is granted, in clear infringement of the established legal requirements.

VI. No permission for extraction of groundwater is required for domestic use i.e., for cleaning, washing and consumption hence required permission is not taken:

- i. The contention of Respondent No. 8 in Para No. 28(a) of the Counter Affidavit dated 08.12.2023 that there is no need for permission to extract groundwater for domestic purposes, such as cleaning, washing, and consumption of cattle is incorrect and hence denied. The Applicant in this regard submit that presently there are three (3) functional submersible pumps inside the Suravi Sadan Gaushala and the unit uses the

pump to extract groundwater without any prior approval/permission from State Water Investigation Directorate or Central Groundwater Authority. The overall requirement of water is more than 150 KLD as stated in the Joint Committee Report:

"The unit uses submersible pump to extract groundwater without permission from SWID or CGWA. Overall requirement of water is more than 150 KLD"

- ii. The Applicant herein submits that it is absolutely incorrect and misleading that the submersible pumps are used for domestic purposes and hence no permission is required. It is pertinent to note that three (3) submersible pumps are used to run the entire gaushala along with cleaning, washing, bathing and consumption of 1600 number of cattle. It can certainly be not termed as 'domestic purpose' and in no manner the unit shall evade from seeking prior permission for extraction of groundwater. It is significant to note that the unit is operating since 2012 and till date no permission of CGWA has been sought. Further, the Joint Committee Report in this regard has specifically recommended that the industry has to seek permission for groundwater extraction:

*"Industry has to comply with all applicable Environmental Legislator requirements, **including permission for ground water extraction**".*

4. Thus, in light of the above observations it is clear that the Survi Sadan Gaushala is operating in complete violation of the law and earlier directions of this Hon'ble Tribunal. In light of the above it is submitted that the Applicants have suitably made a case for grant of the prayers and reliefs sought for in the present Application and accordingly such prayers and reliefs may be granted by this Hon'ble Tribunal considering above submissions of the Applicant.



BEFORE THE NOTARY PUBLIC
At Area : Alipore
Dist. : South 24 Parganas

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA
ORIGINAL APPLICATION NO. 82 OF 2023

IN THE MATTER OF:

SANTOSHPUR MITALI SANGHA

....APPLICANT

VERSUS

STATE OF WEST BENGAL AND ORS.

...RESPONDENTS

AFFIDAVIT

I, Avl Bag, S/o Late Dulal Bag, aged about 43 years, R/o Santoshpur, Banerjee Para, P.O. Adi Kashimpur, P.S. Duttapukur, North 24 Parganas – 743248, do hereby solemnly affirm and state as follows:

1. I am the person authorized by the Applicant Organisation in the above titled Original Application and conversant with the facts and circumstances of the case and competent to swear this Affidavit.
2. That the contents of the accompanying Rejoinder are true and correct and nothing material has been concealed therefrom.

Avl Bag

DEPONENT

VERIFICATION

Verified at Kolkata on this 24 day of January, 2024 that the contents of the above mentioned Affidavit are true and correct and nothing material has been concealed therefrom.



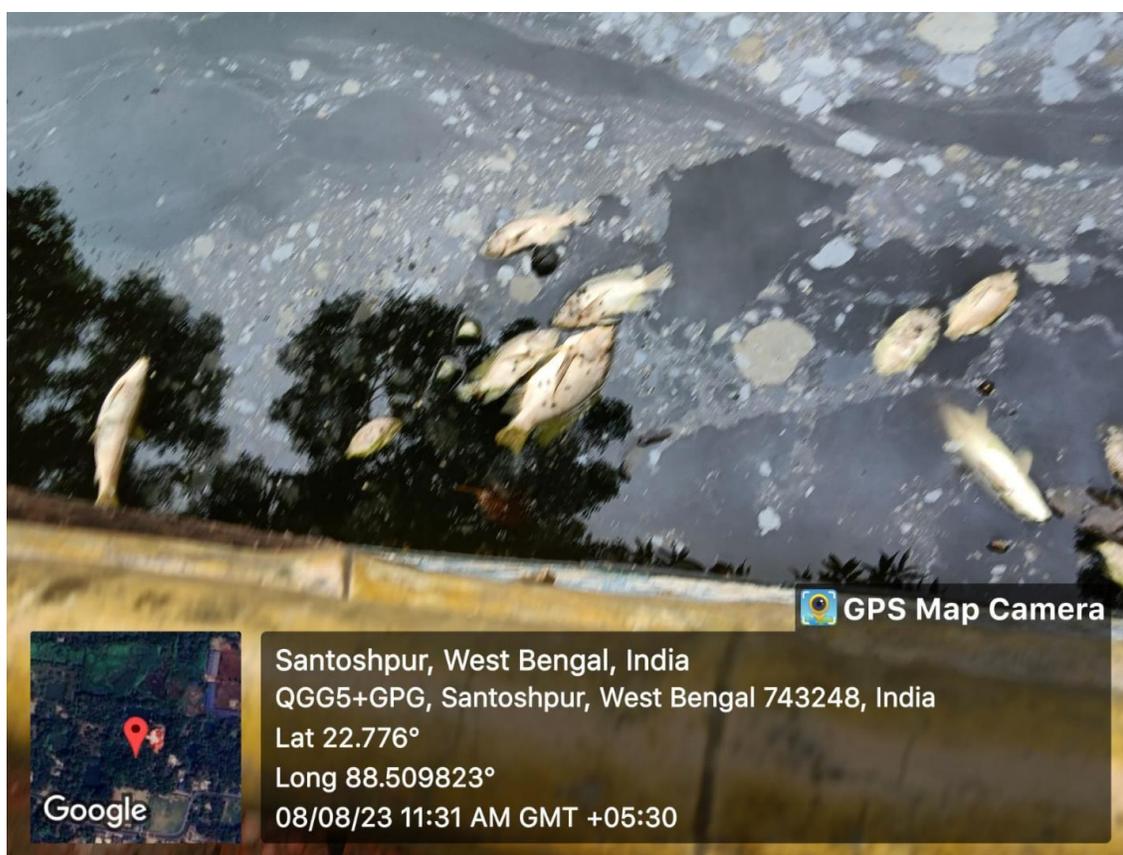
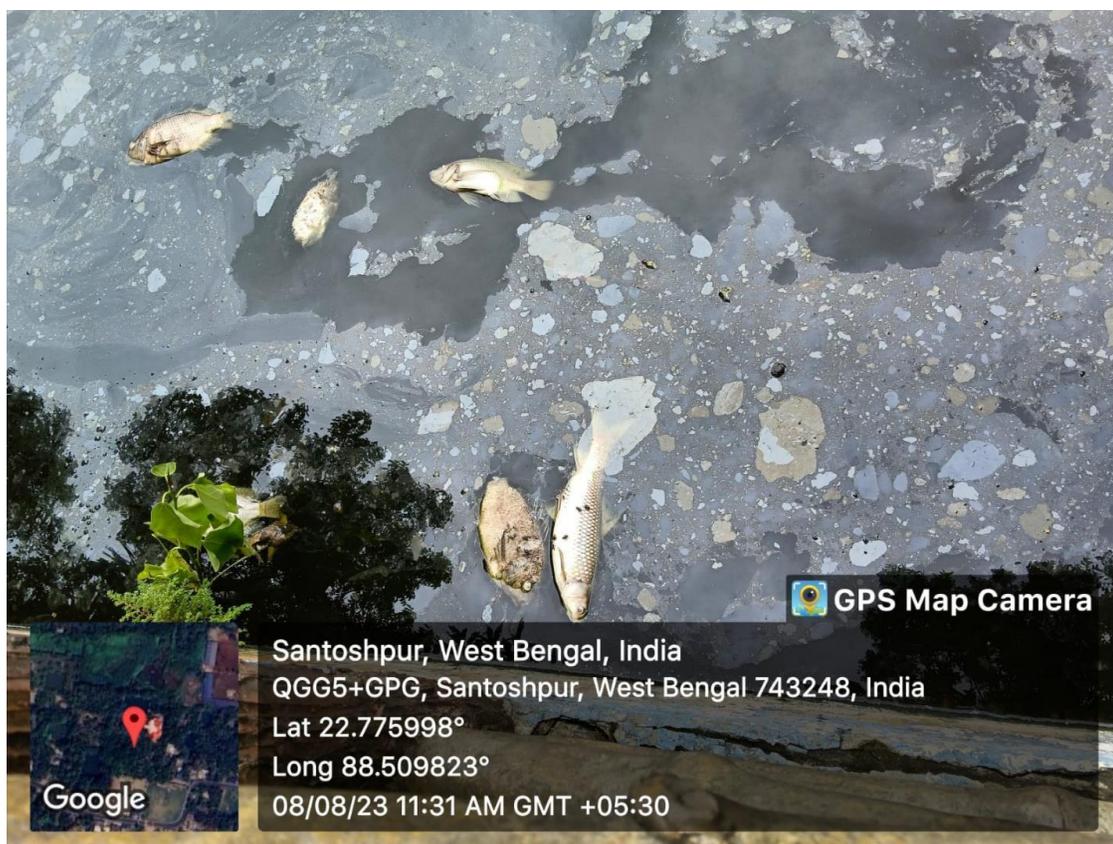
Bishwanath Mukherjee
BISHWANATH MUKHERJEE
NOTARY
Govt. of India
Regd No - 13783

Avl Bag
DEPONENT

24 JAN 2024

ANNEXURE A/1

COPY OF THE IMAGES TAKEN BY THE APPLICANT SHOWING DEATH OF FISHES
IN THE PONDS WHERE THE EFFLUENTS GET DISCHARGED FROM THE
AGRICULTURAL FIELDS.



ANNEXURE A/2

COPY OF THE IMAGES TAKEN SHOWS THE HEAPS OF COW DUNG LYING AGAINST THE BOUNDARY WALL ADJACENT TO THE AGRICULTURAL FIELDS

