

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

**ORI. APPLICATION :06/2021**

**APPLICANT** : Meenal W/o Abhishek Gupta  
Aged about 36 Yrs, Occ : Service,  
R/o 1702, Tower 8, Blue Ridge,  
Hinjeqadi Phase-I, Pune&Ors

Vs

**RESPONDENTS** : UNION OF INDIA  
Through Secretary,  
Indira Paryavaran Bhavan,  
Jor Bagh Road,  
New Delhi - 110 003 &Ors

**REPLY ON BEHALF OF THE RESPONDENT NO.4**

Most Respectfully showeth,

The Respondent No.4 in the instant matter most humbly submits;

1. That in response to the instant Application preferred by the Applicant under section 14 , 15 & 18 of the National Green Tribunal Act, 2010, The Central Ground Water Authority (the Respondent No.4 herein and hereinafter referred to as a Answering Respondent) submits its parawise reply to the averments in the Application which be considered without prejudice to one another.



  
**J. J. JADHAV**  
 जल संचयन/Regional Director  
 भारत सरकार/Government of India  
 केन्द्रीय भूमि जल बोर्ड/Central Ground Water Board  
 जल संचयन, नदी विकास और/Dep. Minst of Water Resources  
 गंगा संरक्षण विभाग/River Development & Ganga Rejuvenation  
 जल शक्ति मंत्रालय/Ministry of Jal Shakti  
 मध्य क्षेत्र, नागपुर/Central Region, Nagpur.

2. The Central Ground Water Authority has been constituted by the Central Government vide notification Number S.O. 38(E), dated 14th January, 1997, of the Government of India in the Ministry of Environment & Forests, for the purposes of regulation and control of ground water development and management in the whole of India and to issue necessary regulatory directions.
3. Central Ground Water Authority has issued 'Guidelines to control and regulate ground water extraction in India' vide notification number 3289(E) dated 24th September, 2020, notified by Ministry of Jal Shakti, which also provides for grant of NOC for ground water abstraction by industries/infrastructure/mining projects in the country.
4. In pursuance to the notification issued by the Ministry of Jalshakti dated 24/09/2020, it is obligatory upon all the new/existing industries, industries seeking expansion, infrastructure projects and mining projects abstracting projects abstracting ground water unless exempted under the notification to seek the No Objection Certificate from the Answering Respondent. This is also obligatory upon the Residential Apartments/Group Housing Societies/Govt Water supply agencies in urban areas.

  
H. VARADHARAJ  
क्षेत्रीय निदेशक/Regional Director  
भारत सरकार/Government of India  
केन्द्रीय भूमि जल बोर्ड/Central Ground Water Board  
जल ससाधन, नदी विकास और/Department of Water Resources

The said Project (M/S. The Crown Green" located at plot no 17, Rajiv Gandhi Infotech Park, MIDC Phase II, Hinjewadi Pune) has not been granted NOC for ground water withdrawal by CGWA. Neither the firm has applied for grant of NOC so far to CGWA.

5. As to paras 1 to 4 : The contents of these paras being the matter of record need no reply.
6. As to para 5 to 7 (xv) : The contents of these paras of the grounds do not relate in any manner with the Answering Respondent , hence need no reply.
7. As to para 7(xvi) : The contentions in this Para are related to violation of a specific condition of Environment Clearance. Thus, the same pertains to other Respondents.
8. As to paras 7 to 8(xiii): The contents of these paras of the grounds do not relate in any manner with the Answering Respondent, hence need no reply.
9. As to para 9 : The contents of this para as to the applicability of Guidelines dated 12/12/2018 are denied. It is clarified that the CGWA Guidelines dated 24.09.2020 have been issued in compliance of NGT Orders. It is further reiterated that the Project proponent had neither applied for grant of the No Objection Certificate (NOC) for ground water extraction



to the Answering Respondent nor he was granted any NOC at any point of time for the said Project.

10. As to paras 10 to 20: The contents of these paras of the grounds do not relate in any manner with the Answering Respondent, hence need no reply.

11. From the documents annexed with the Application it could be gathered that it was obligatory upon the Respondent project proponents to obtain the No Objection Certificate for ground water extraction from the Answering Respondent in view of the CGWA Guidelines dated 24/09/2020. However, the Answering Respondent states that the Respondent project proponents neither had obtained the No Objection Certificate nor even had applied for it with the Answering Respondent for. Unless shown otherwise, it is pretty clear that the Respondent project proponents had violated the guidelines issued by the Answering Respondent.

12. As to prayer clause : Looking to the facts and circumstances of the case, this Hon'ble Tribunal may kindly be pleased to pass the appropriate orders.

Pune :

Dated :

For Central Ground Water Authority

  
 एन. वरदराज / N. VARADARAJ  
 क्षेत्रीय निदेशक / Regional Director  
 भारत सरकार / Government of India  
 केन्द्रीय भूमि जल बोर्ड / Central Ground Water Board  
 जल संधारण, नदी विकास और / Department of Water Resources  
 गंगा संरक्षण विभाग / River Development & Ganga Rejuvenation

*Ans. 1/2/23.*

(Respondent No.4)

Counsel for Respondent No.4

**Solemn Affirmation**

I N. Varadaraj S/o C.L Narasimhan , Aged about 52 yrs, Occu : Service , R/o Central Ground Water Board, Egmark Building, Opp VCA Stadium, Civil Lines Nagpur, do hereby take oath and state on solemn affirmation:

That I am working as a Regional Director with the Central Ground Water Authority the Respondent No.4 herein. I am conversant with the facts of the present case and therefore able to depose the same.

I say that the Counsel as per my instructions has drafted the above Reply . I have gone through the contents of the above said Reply and understood the same. I say that the contents of the Reply are true to my knowledge and as per the records of the Authority which I believe to be true. As far as the legal submissions herein are concerned the same are correct as advised by my counsel. The contents of the Reply are explained to me in vernacular which I found to be correct. Hence, signed and verified at Nagpur on this 15<sup>th</sup> day of MARCH , 2023.

*N. Varadaraj*  
 एन. वरदराज / N. VARADARAJ  
 क्षेत्रीय निदेशक / Regional Director  
 भारत सरकार / Government of India  
 केन्द्रीय भूमि जल बोर्ड / Central Ground Water Board  
 जल संसाधन, नदी विकास और / Department of Water Resources  
 गंगा संरक्षण विभाग / River Development & Ganga Rejuvenation  
 जल शक्ति मंत्रालय / Ministry of Jal Shakti  
 मध्य क्षेत्र, नागपुर / Central Region, Nagpur.

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