BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 220/2026/EZ

IN THE MATTER OF: -

Sanjaya Kumar Mishra **…Applicant**

VERSUS

Central Ground Water Authority (CGWA) & Ors. **…Respondents**

SUBMISSION OF BRIEF NOTE IN COMPLIANCE WITH ORDER DATE 18.11.2026 PASSED BY THIS HON'BLE TRIBUNAL

Most respectfully submitted, this brief note is being filed in compliance with the order dated 18.11.2026 passed by this Hon'ble Tribunal.

1. The earlier groundwater No Objection Certificate ("NOC") granted by Respondent No. 1 (CGWA), to Respondent No. 8 permitted abstraction of **350 m³/day through three (03) borewells up to 04.04.2025**.
2. Clause 11(i) of the **Gazette Notification dated 24.09.2020** requires renewal applications **at least 90 days before expiry**. However, Respondent No. 8 filed its renewal application belatedly on 24.01.2025
3. Further, a conjoint reading of Clauses 4.1 and 11(iii) of the said Notification and NOC Condition No. 8, read with CGWA's SOP, makes submission of the **Water Audit Report mandatory along with the renewal application**.
4. The documentary **record establishes that the report was submitted no earlier than 06.07.2025**, though the actual date of submission remains to be ascertained. Consequently, the **renewal application remained incomplete until at least 06.07.2025**, resulting in a **minimum 93-day period** of incompleteness following **expiry of the earlier NOC**. Groundwater abstraction during the intervening period was, therefore, **unauthorised and liable to attract Environmental Compensation** in accordance with law.

5. The CGWA issued the renewed NOC on **23.01.2026**, retrospectively from **05.04.2025**. The legal justification for retrospective renewal requires examination. Its issuance date also warrants verification, as Respondent No. 8's submission to SEIAA dated **03.02.2026** and SEIAA meeting dated **10.02.2026** indicate lack of awareness of the renewed NOC.
6. The **renewed NOC** dated 23.01.2026 also **increased the number of borewells from three (03) to five (05)**, raising questions of legality.
7. Subsequently, the NOC dated **20.04.2026** enhanced permissible abstraction to **400 m³/ day**, despite the Water Audit Report recording actual average abstraction of approximately **179 m³/day** and potential reduction of **6.7%**, raising concerns regarding the justification for enhancement.
8. Additionally, documentary records reveal treated sewage reportedly exceeded permissible limits and Respondent No. 8 has allegedly violated applicable CTE/CTO conditions.

Thus, the matter raises substantial questions relating to environmental protection, involving apparent violations of statutory environmental obligations warranting scrutiny and appropriate action in accordance with law.

Sanjaya Kumar Mishra

(Applicant)