

# Manjeet Bhardwaj And Others vs Govt. Of Nct Of Delhi & Ors on 30 November, 2022

Item No. 3

(Court No. 2)

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.

(Through Physical Hearing with Hybrid VC Option)

Original Application No. 200/2022

Manjeet Bhardwaj & Ors.

...Applicants

Versus

Govt. of NCT of Delhi & Ors.

...Respondents

Date of hearing: 30.11.2022

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.

Applicants: Mr. Manjeet Bhardwaj, in person.

Respondents: Ms. Sakshi Popli, Advocate for DPCC.  
Ms. Puja Kalra, Advocate for MCD.

Application is registered based on a letter petition received by post.

## ORDER

1. Grievance of the applicants is regarding illegal dairies operating in village Tikri Kalan in Delhi due to which dairy waste is dumped in drains resulting in chocking of drains and overflowing of the waste water on land causing serious problems of foul smell and health hazards to local residents of village Tikri Kalan, Delhi.

2. Vide order dated 10.03.2022, this Tribunal constituted a Joint Committee comprising of the DPCC, Municipal Commissioner and District Magistrate-West Delhi to look into the grievance of the applicant and directed the same to submit factual and action taken report within two months.

3. In compliance therefore, DPCC has submitted report vide email dated 23.09.2022. Relevant part of the report is reproduced as under:-

O.A. No. 200/2022

Manjeet Bhardwaj & Ors.  
vs. Govt. of NCT of Delhi

"ACTION TAKEN REPORT ON BEHALF OF DELHI POLLUTON CONTROL COMMITTEE WITH RESPECT TO ORDER DATED 10.03.2022.

1. That the present original application has been filed by the applicants with the grievance regarding the illegal dairies operating in Village Tikri Kalan in Delhi. [It is submitted that dairy waste (cow dung and grasses etc.) is dumped in drains resulting in chocking of drains and overflowing the waste water on land causing serious problem of smell health hazard to local residents of village Tikri Kalan, Delhi-110041.

2. That present matter was listed before this Hon'ble Tribunal on 10.03.2022 wherein this Hon'ble Tribunal constituted a Joint Committee of the DPCC, Municipal Commissioner and District Magistrate (West).

3. That inspection has been carried out on 20.06.2022 by the joint committee comprised of the officers of DPCC, Revenue and MCD (Veterinary Department) in compliance of the order dated 10.03.2022 passed by this Hon'ble Tribunal in the present matter and during inspection found that 05 illegal dairies were running which are major source of creation of dairy waste (cow dung and grasses etc.) resulting chocking of the drains. During the inspection drive, it was observed:

(a) The inspecting team also found that it is a village and the majority of villagers also have 1 or 2 cattles for their daily living.

(b) It was noted that the drains around the dairies are either filled up with cattle feces or traces of the cattle feces...

(c) It was informed by the Sh. Subhash Kumar, MTI (Milk Tax Inspector) (MCD) that earlier they have sealed the dairies as mentioned at S.N. 1,2,3,5. During the inspection all seals on dairies were found broken.

Copy of the inspection report dated 20.06.2022 of the joint Committee is annexed herewith as ANNEXURE-A.

4. That second inspection has also been carried of the village on 06.07.2022 by the joint team and during inspection found that 06 illegal dairies were running. During the inspection drive, it was observed:

(d) The inspecting team also found that it is a village and the majority of villagers also have 1 or 2 cattles for their daily living.

(e) It was noted that the drains around the dairies are either filled up with cattle feces or traces of the cattle feces...

(f) The inspecting team found that part of waste water generated from village Tikri Kalan through various activities was being drained into the village pond surrounded by boundary wall.

Copy of the second inspection report dated 06.07.2022 of the joint Committee is annexed herewith as ANNEXURE-B.

5. That further, Sanitation Superintendent, MCD provided the photographs, which shows that, all drains of the village has been cleaned. Copy of the MCD report dated 05.07.2022 is annexed herewith as ANNEXURE-C (Colly).

6. That pursuance of the inspections carried out on 20.06.2022 and 06.07.2022, MCD issued show cause notices for closure on 02.09.2022 to the 11 illegal dairy owners to close down the dairies which identified by the joint committee. Copy of the one such exemplary show cause notice dated 02.09.2022 is annexed herewith as ANNEXURE-D (Colly).

7. That joint action was conducted on dated 12.09.2022 with the help of Tata Power Delhi Distribution LTD, BSES, Delhi Jal Board and Police official of P.S. Mundka and all 11 illegal dairies were sealed along with the disconnection of water electricity supply in the presence of member of DPCC. Copy of the photographs of sealing are annexed herewith as ANNEXURE-E.

8. That letter dated 13.09.2022 of watch & ward also issued to the concerned S.H.O., P.S. Munka to direct the concerned official for keeping vigil over these dairies so that they will not resurface. Copy of the letter dated 13.09.2022 is annexed herewith as ANNEXURE-F.

9. That the area in question is cleaned/ desalted regularly by the concerned department of the MCD and now drains are flowing without any floating material."

4. In the inspection report, it has been mentioned that majority of the villagers are having one or two cattle for their daily living. As per the action taken report the dairies have been sealed on 12.09.2022 and letter has also been sent to the concerned SHO, PS Mundka, for keeping vigil over the dairies so that they do not resurface.

5. In view of the averments made in the application and observations made in the report, we consider it appropriate to have response from (1) the Government of NCT of Delhi, through its Chief Secretary, (2) the Delhi Pollution Control Committee (DPCC), (3) the Commissioner, Municipal Corporation of Delhi (MCD), (4) the District Magistrate\*\*\* (5) Sh. Om Pal, S/o. Sh. Laxman, H. No. 917, Kalyana Pana, village Tikri Kalan, Delhi- 110041, (6) Sh. Vinod, S/o. Sh. Ballu, H. No, 923, Kalyana Pana, village Tikri Kalan, Delhi-110041, (7) Sh. Vinod Devi, S/o. Sh. Ballu, H. No, 775, Near Nahi Chopal, village Tikri Kalan, Delhi-110041, (8) M/s Owner Occupier, Opposite R.K Dilod, H.N 943, village Tikri Kalan, Delhi- 110041, (9) Sh. Balwan, S/o. Sh. Maman, H. No, 922, Kalyana Panna, village Tikri Kalan, Delhi-110041, (10) Sh. Vijay S/o Sh. Kharake Singh, Meter no. 26460239, H.No. 1290, Tikri Kalan, Ramyana Pana, Delhi-110041, (11) Sh. Raj Kumar S/o Sh, Sultan Singh H.No. 1290, Tikri Kalan, Ramyana Pana, Delhi-110041, (12) Sh, Joginder S/o Sh. Sultan Singh, H. No. 1290, Tikri Kalan, Ramyana Pana, Delhi-110041, (13) Sh. Sandeep S/o Ranvir, H. No. 948, Tikri Kalan, Ramyana Pana, Delhi-110041, (14) Sh. Sultan Singh S/o Sh. Ramkishan H. No.- 553, Doplan Pana, Tikri Kalan, Delhi-110041 and (15) Sh. Suresh Kumar, CA no. 102712667, Tikri Kalan, Delhi-110041, who stand impleaded as respondents No. 1 to 14. The Registry is directed to prepare and attach memo of parties to the application and issue notices to respondents no. 1 to 15 requiring them to file their reply/response within one month at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF.

6. Notice be served on respondents no. 04 to 15/Project Proponents through the District Magistrate (West), Delhi and for this purpose notice issued to the respondents no. 04 to 15/Project Proponents be sent to the O.A. No. 200/2022 Manjeet Bhardwaj & Ors.

vs. Govt. of NCT of Delhi District Magistrate (West), Delhi by email for getting service of the same effected on it and sending his report in this regard.

7. In view of the facts and circumstance of the case, we also consider personal appearance of the officers duly authorized by DPCC and MCD before this Tribunal physically or through VC on the next date of hearing to be essential for producing the relevant record and assisting this Tribunal in just and proper adjudication of the questions involved in the case and they are accordingly directed to remain present before this Tribunal physically or through VC on that date.

8. List for further consideration on 24.02.2023.

9. A copy of this order, along with a copy of the complaint, be forwarded to the Government of NCT of Delhi, through its Chief Secretary, the DPCC and the MCD, by e-mail for compliance.

Arun Kumar Tyagi, JM Dr. Afroz Ahmad, EM November 30, 2022 AVT