

Item No. 01

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 508/2023

Gauri Maulekhi

Applicant

Versus

Govt. of NCT of Delhi & Ors.

Respondent(s)

Date of hearing: 24.08.2023

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Raj Panjwani, Senior Advocate with Ms. Esha Dutta & Ms. Shaalini
Agrawal, Advocates

ORDER

1. The grievance raised by the applicant in this Original Application is in respect of the alleged environmental pollution caused by the operation of dairy farms on the Yamuna floodplains in the National Capital Territory (NCT) of Delhi. According to the petitioner, around 60 dairy farms with approximate 1000 cattle are running illegally and violating the prescribed legal norms i.e. Guidelines for Environmental Management of Dairy Farms and Gaushalas, July 2021 issued by the Central Pollution Control Board, the Environment (Protection) Act, 1986, the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, Solid Waste Management Rules, 2016 and the Bio-Medical Waste Management Rules, 2016. In support of his submission, Counsel for the petitioner has also referred to earlier order of this Tribunal in the matter of *Nuggehalli Jayasimha vs. Government of NCT of Delhi* in OA No. 46/2018 (M.A. No. 44/2021).

2. It has been alleged that the floodplains are integral to river hydrology and play an important role in maintaining the flow of river. The animals kept in the illegal dairies generate waste in the form of solids, liquids and gases which is dumped/discharged untreated on surrounding land, flushed with water and discharged straightaway into the Yamuna river, leading to environmental pollution and also leading to discharge of ammonia, nitrous oxide and nitrogen oxides in air and nitrate in soil and ground water. Certain other allegations have also been made against these dairies causing air and water pollution.

3. Having regard to the allegations made in the petition, we deem it proper to constitute a joint Committee comprising of the Member Secretary, Central Pollution Control Board (CPCB), Member Secretary, Delhi Pollution Control Committee (DPCC), Secretary, Department of Animal Husbandry and Veterinary, Delhi and Municipal Commissioner, Municipal Corporation of Delhi. The Member Secretary, DPCC will act as a coordinator in the Committee. The Committee will carry-out the spot inspection and examine truthfulness of the allegations made in the petition and submit status and action taken report before this Tribunal within six weeks in respect of alleged violation of the provisions of the act, rules and guidelines by the dairies on the Yamuna floodplains in the NCT of Delhi. The Committee will also suggest the remedial measures based on extent of environmental damages observed and maintenance of dairy farms in compliance with siting criteria and taking integrated approach to comply with environmental regulations/norms particularly for maintaining good hygienic status of dairy farms, protection of flood plain zone and setting up of solid and liquid waste management facilities.

4. Let the report be submitted within six weeks by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

5. List on 09.11.2023.

6. A copy of this order be forwarded to Member Secretary, CPCB, Member Secretary, DPCC, Secretary, Department of Animal Husbandry and Veterinary and Municipal Commissioner, Municipal Corporation of Delhi by e-mail for compliance.

Prakash Shrivastava, CP

Sheo Kumar Singh, JM

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 24, 2023
Original Application No. 508/2023
DV