

**Before the Hon'ble National Green Tribunal,  
Principal Bench, New Delhi**

**Original Application No.200 of 2022**

In the matter of:

Manjeet Bhardwaj & Ors. ... Applicant

VERUS

Govt. NCT of Delhi & Ors. ... Respondents

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New Delhi

Date: 01.11.2023

Through



Shrinkar Chaturvedi  
Advocate  
204, Patiala House Court  
New Delhi- 110001.

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**Original Application No.200 of 2022**

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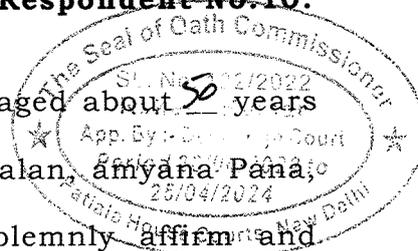
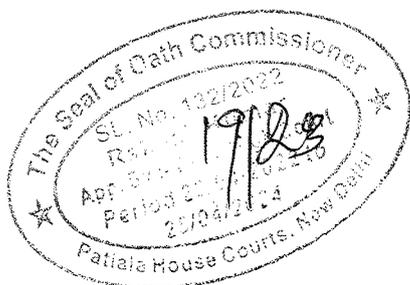
Govt. NCT of Delhi & Ors. ... Respondents

**Counter Affidavit on behalf of Respondent No.10.**

I, VIJAY S/o Sh. Harake Singh aged about 50 years  
resident of H. No. 1290, Tikri Kalan, Amiana Paha,  
Delhi - 110041, do hereby solemnly affirm and

declare as under:

1. That I have been arrayed as Respondent No.10 in the above original application and as such, I competent to swear the present affidavit.
2. It is submitted that in the garb of a person purportedly acting in the interest of protection of environment and sanitation of vicinity, the Applicants have filed the present original application to harass the innocent and poor villagers like the present answering respondent, without arraying all the actual offenders, who are in fact, responsible for dirt, cattle excreta and choking sewer in the vicinity



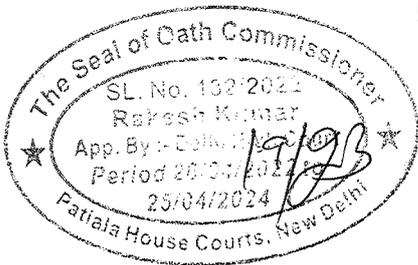
which may ultimately detrimental to health of the residents of the vicinity.

3. It is submitted that in the present matter in pursuance of the order dated 30.11.2022, the Govt. of NCT of Delhi has constituted a joint committee comprising thereof officers of the DPCC, MCD (Veterinary Service Department) and District Magistrate, West Delhi. The above said committee has filed two inspection report dated 20.06.2022 and 06.07.2022 in view of the above said directions. In the inspection report dated 06.07.2022, ten buffalo/cows has been shown in the possession of the Deponent/answering Respondent, which is absolutely wrong. It is submitted that answering respondent/deponent is having only 02 buffaloes and that too only for his personal use. It is submitted that the said report is manufactured by the official respondents in hand in glove with the real culprits. If the official respondents would have really seized the 10 buffalos then they must have kept the same somewhere after seizing them. The falsity of the said report is evident that it is not even supported by any photographs of such seizing of the buffalos of the deponent. No seizure



memo is even placed on record. The compliance report dt. 13.09.2022 filed by official respondent is absolutely false and concocted.

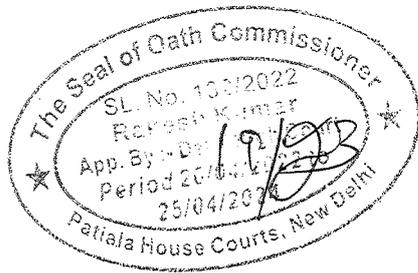
4. It is submitted that answering respondent with the present reply has annexed a site map of his residence and shed where his cattle/buffaloes were kept. It is submitted that the area of shed where cattle were kept by deponent is hardly 30 to 40 sq. yard. It is highly improbable to keep 10 cattle/buffaloes in such a small space. The same can also be verified by this Hon'ble tribunal. The said site plan is annexed as **Annexure-R-10/A**.



5. It is submitted that the allegations which is raised against the answering respondent in the original application as well in the report of the committee as to foul smell and filth in vicinity is false, frivolous and fabricated. Because, the distance between the house of answering respondent and Petitioners is more than 1.0 to 1.5 kilometer. It is further submitted that if answering respondent is not living in the vicinity of the Petitioners, he should not be

made responsible for filth and dung nearby the house of Petitioners.

6. It is submitted that the electric meter no.26460239, which is shown in with the name of answering Respondent in the memo of parties, belongs to his neighbor namely Neeraj. It is further submitted that the house of answering Respondent and Neeraj is adjacent to each other and said person has more than ten buffaloes but no action has been taken against him so far. Whereas, answering respondent, who is a poor villager having only two buffaloes for house hold consumption of milk deliberately has been arrayed as a Respondent No. 10 in the present matter. The answering respondent immediately after receiving the information from committee removed his cattle/buffaloes and relocated them to a shed at his agricultural land which is situated 10 km away from his house.

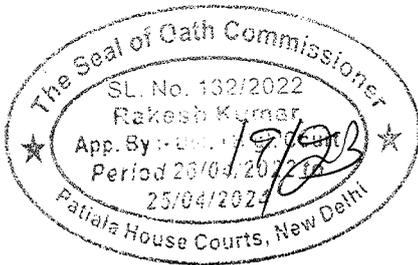


7. It is submitted that in compliance of the order dated 30.11.2022 notice of the present proceedings was served upon the answering Respondent on 24.08.2023, and thereafter

immediately deponent appeared before this Hon'ble Tribunal through his counsel and this Hon'ble Tribunal directed the answering respondent to file his response to the petition.

8. It is respectfully submitted that present O.A. has been filed by the Petitioners to harass the Respondents. It is submitted that the residence of the Respondent No. 10 is at least 1.0 to 1.5 kilometer away from the residence of the aggrieved Petitioners. Hence, at the first hand allegation against answering Respondent is not maintainable as answering respondent is not living in the vicinity of Petitioners.

9. It is respectfully submitted that deponent is a law abiding citizen and there is no intention at all of damaging the environment and littering the cattle excreta in the vicinity as made out in the original application. It is submitted that the excreta and dung of the cattle/buffalo of the deponent is used in the agricultural fields as natural manure for the crops. The deponent has never littered the cow dung or excreta in the vicinity till date as he is conscious of hygiene and cleanliness. The children/family of deponent also lives with him so the deponent



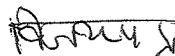
cannot even think even in his dreams about littering the cow excreta and endanger his own children/family's health.

10. It is submitted that the answering respondent is falsely implicated in the present matter. The answering respondent is poor villager, who is unable to purchase milk from the market for house hold consumption and for consumption of growing children. Due to above stated reason for the self consumption of milk answering respondent kept the two cattle.

11. It is submitted that the jurisdiction of this Hon'ble Tribunal is being misused in order to continue the harassment of the deponent

12. It is respectfully submitted that the deponent is also concerned of the environment around him.

13. That my above statement is true and correct.

  
Deponent

Verification :

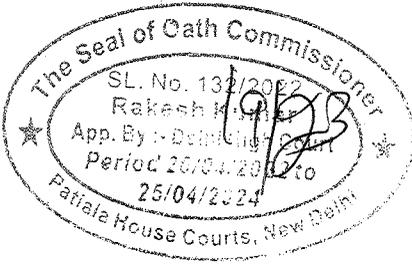
Verified at New Delhi on this        day of October,  
2023 that the contents of above additional affidavit

are true and correct to my knowledge and belief and nothing material has been concealed therefrom.

*Kavya*

I identified the deponent who has signed in my presence

*[Signature]*  
Deponent



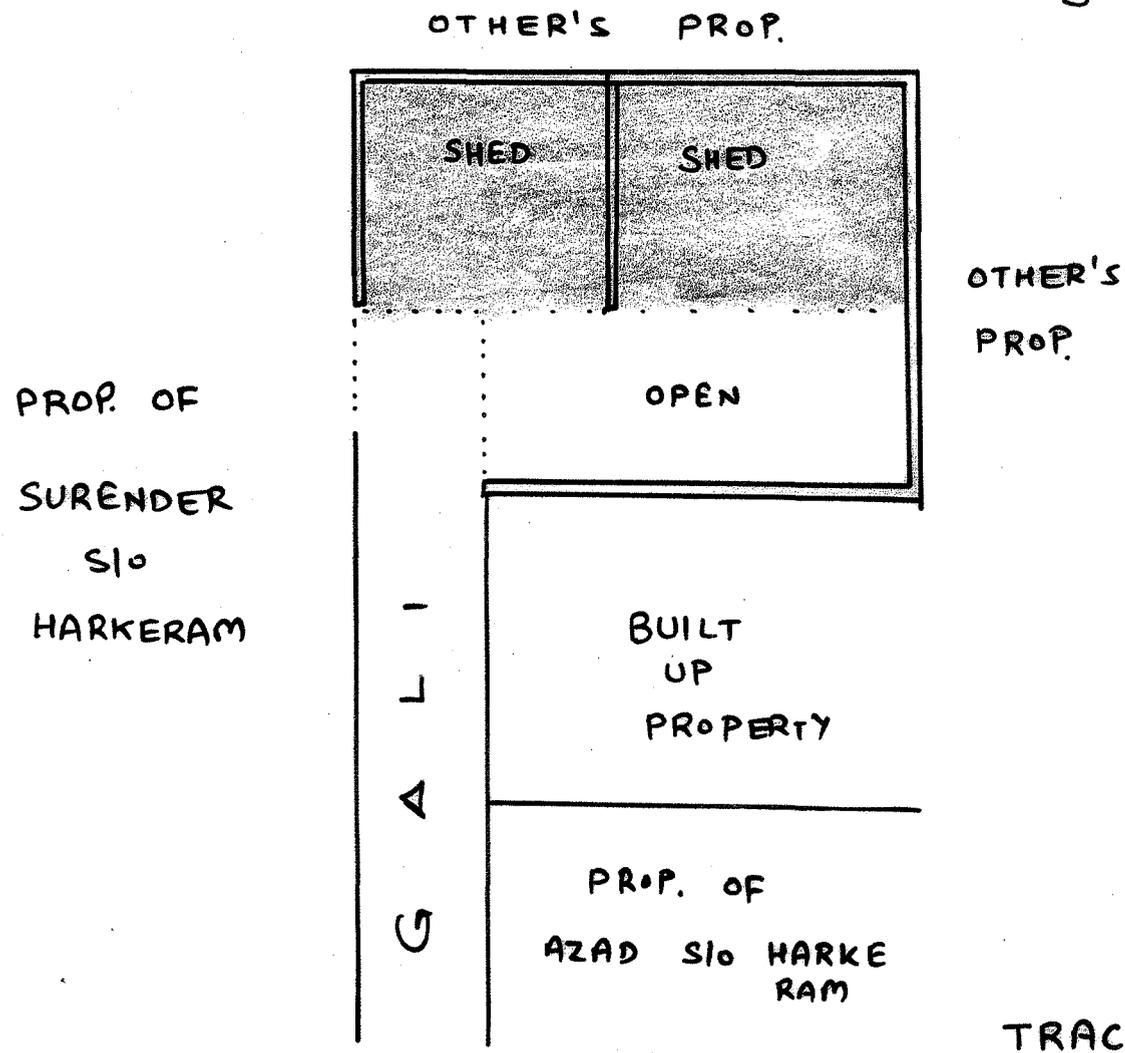
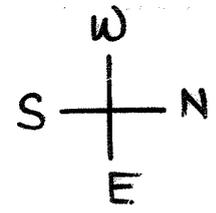
CERTIFIED THAT THE DEPONENT  
Shri /Smt./Km. *V. Day* Aged *50*  
S/o, W/o, D/o. *Sh. Hazarke Singh*  
R/o. *H. No. 1290*  
Identified *Kamoor Uday Bhat Kalayal Singh*  
has signed on *19/23*  
on *2 NOV 2023*  
that the *[Signature]*  
been read and are true and  
correct to his knowledge.

*2 NOV 2023*

*[Signature]*  
Oath Commissioner  
New Delhi

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SITE PLAN OF THE PORTION AREA  
 MEASURING 40 SQ.YDS APPROX. SHOWN  
 IN RED COLOUR, WHERE BUFFALO / CATTLE  
 OF SH VIJAYPAL S/O HARKE RAM WERE  
 KEPT IN KH. NO. / PLOT NO. 1290,  
 VILLAGE - TIKRI KALAN, NEW DELHI-110041



TRACED BY:-

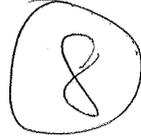
MUKUL  
 23/9/23

MUKUL KUMAR SHARMA  
 Draughtsman (Civil)  
 Lawyer's Chamber, Ground Floor,  
 Near State Bank Dwarka Court,  
 Delhi-110075  
 M.: 9990059455, 8810251140

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COUNTER AFFIDAVIT IN  
O.A. NO. 200 OF 2022  
PENDING BEFORE NGT.



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to pujakalra09 v

Mam PFA, Copy of Counter affidavit case  
title Manjeet Bhardwaj & ors. vs State of  
NCT of Delhi and Ors. on behalf of  
Respondent no. 10 to 15

**THANKS & REGARDS.**  
**SHRINKAR CHATURVEDI, ADVOCATE**  
**Mob. 9910931240.**

