

**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

INDEX

Sr. No.	Particulars	Pages
1.	Counter affidavit on behalf of Respondent No. 11	1-6
2.	Annexure-R-10/A Site Plan of area where cattle of Respondent No. 11 were kept.	7
3.	Proof of Service	8

New Delhi

Date: 01.11.2023

Through



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

**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

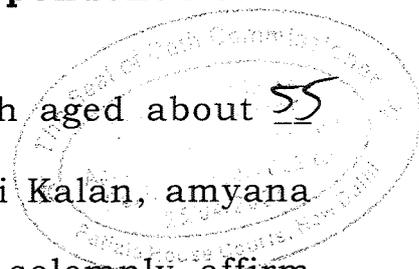
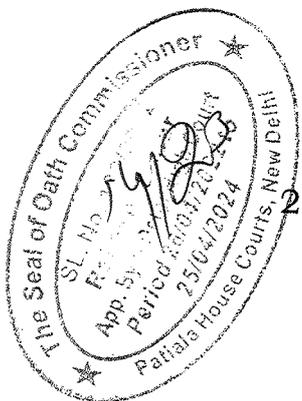
Govt. NCT of Delih & Ors. ... Respondents

Counter Affidavit on behalf of Respondent No.11.

I, Raj Kumar S/o Sh. Sultan Singh aged about 55 years resident of H. No. 1290, Tikri Kalan, amiana Pana, Delhi - 110041, do hereby solemnly affirm and declare as under:

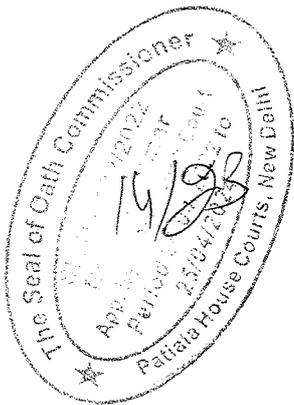
1. That I have been arrayed as Respondent No.11 in the above original application and as such, I competent to swear the present affidavit.

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



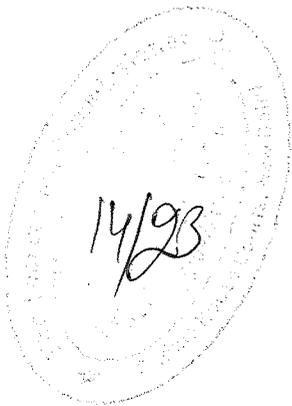
villagers without touching the actual offenders, who are in fact, responsible for dirt, cattle excreta and choking sewer in the vicinity which may ultimately detrimental to health of the residents of the vicinity.

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 comprise of the officers of the DPCC, Revenue Department and MCD (Veterinary Service Department). The above said committee has filed two inspection report dated 20.06.2022 and 06.07.2022 w.r.t the above said direction. 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.



4. It is submitted that answering respondent with the present reply annexed site map of his residence and space where his cattle/buffaloes were kept. It is submitted that the area of where cattle were kept is hardly 30 sq. yard. It is highly improbable to keep 10 cattle/buffaloes in such a small space. The site plan of residential property of answering respondent is annexed as **Annexure-R-11/A**.

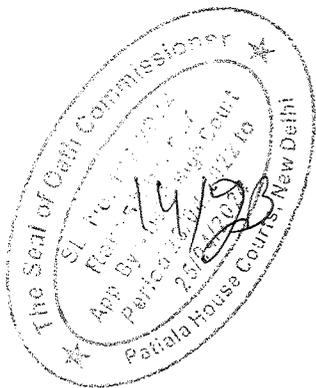
5. It is submitted that the allegations which is raised against the answering respondent in the original application as well in the report of the committee as to foul smell and filth in vicinity is false, frivolous and fabricated. Because, the distance between the house of answering respondent and Petitioners is more than one 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.

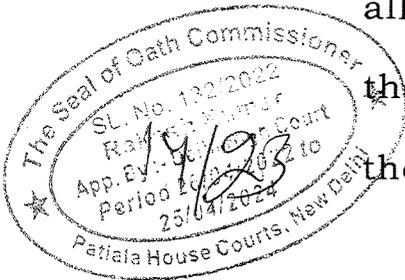
6. It is submitted that answering respondent, who is a poor villager having only two buffaloes for house hold consumption of milk deliberately has arrayed as a Respondent No. 10 in the present matter. The answering respondent immediately after receiving the information from committee replaced his cattle and sends the cattle at his agricultural land 10 km away from the vicinity.

7. It is submitted that the in compliance of the order dated 30.11.2022 notice to answering Respondent was served upon 24.08.2023, the deponent is appeared before this Hon'ble Tribunal through counsel and Hon'ble Tribunal granted on month time to file response on his behalf.



8. It is respectfully submitted that present O.A. has been filed by the Petitioners to harass the Respondents. It is submitted that the resident of the Respondent No. 11 at least 1.0 to 1.5 kilometer away from the resident of the aggrieved Petitioners. Hence, at the first hand allegation against answering Respondent is not maintainable as answering respondent is 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.



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

(Handwritten mark)

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.

(Signature)
Deponent

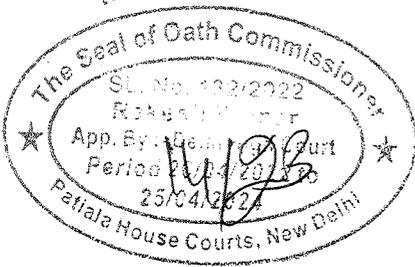
Verification :

(Stamp: 25 NOV 2023)

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.

(Handwritten: Karan An)
I identified the deponent who
has signed in my presence

(Signature)
Deponent



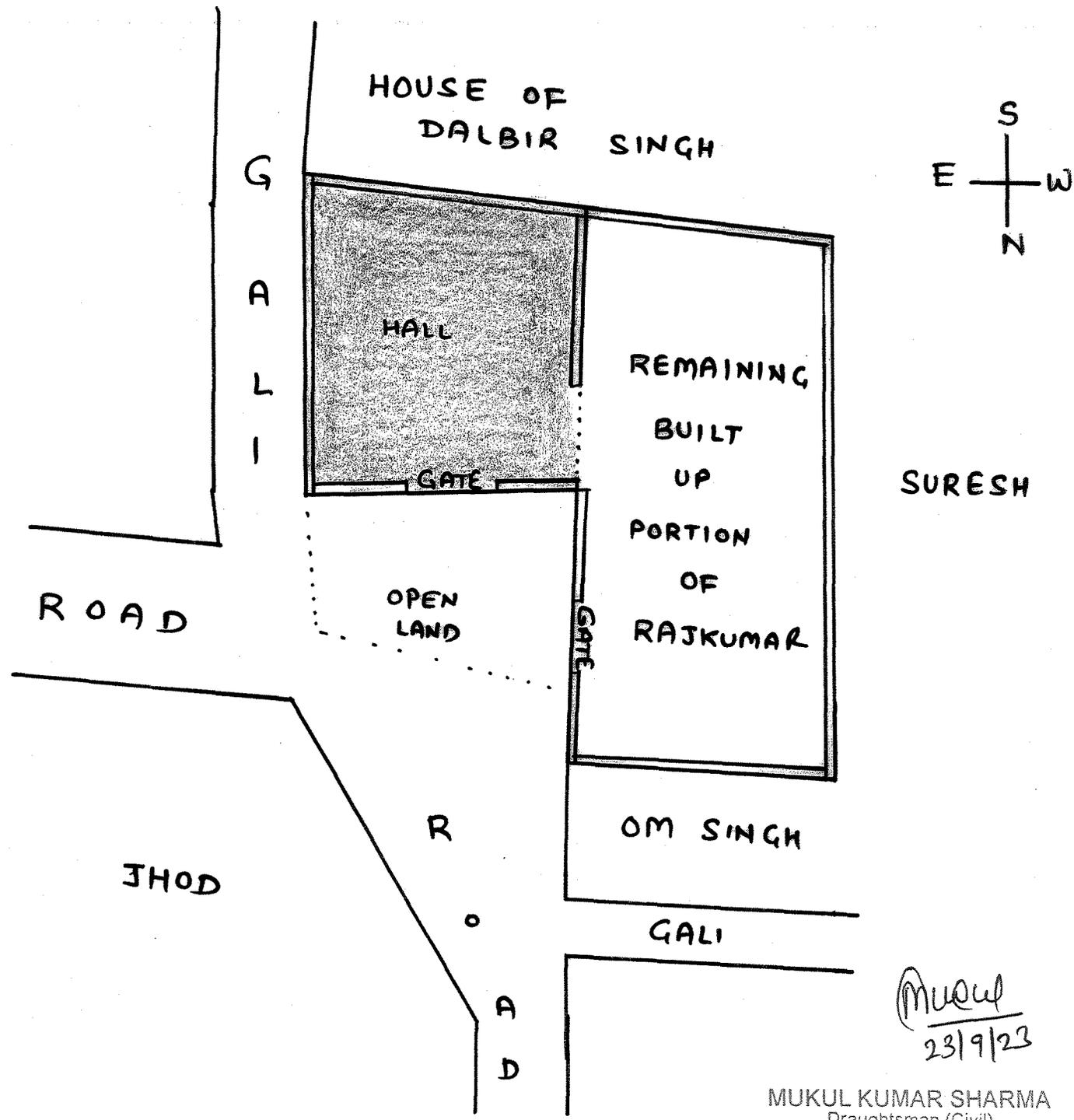
CERTIFIED THAT THE DEPONENT
Shri /Smt./K... Aged...
S/o, W/o, D...
R/o... No. 1290, Tikri Khasra
Identified as *(Signature)*
has signed on... **2 NOV 2023** at *(Signature)*
that the above statement
has been read to the deponent and
correct to his knowledge.

(Signature: RK)
Oath Commissioner
New Delhi

(Stamp: 2 NOV 2023)



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



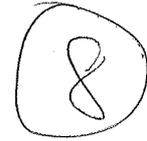
Mukul
23/9/23

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

105



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



Add label



Shrinkar Cha... 13:40



to pujakalra09 ~

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.

