

**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.

**Before the Hon'ble National Green Tribunal,
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Original Application No.200 of 2022

In the matter of :

Manjeet Bhardwaj & Ors. ... Applicant

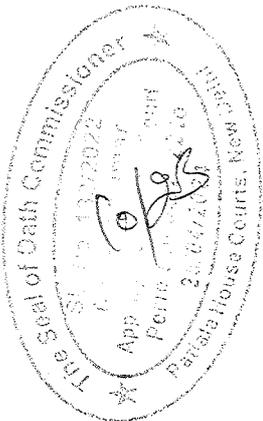
VERUS

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

Counter Affidavit on behalf of Respondent No.14.

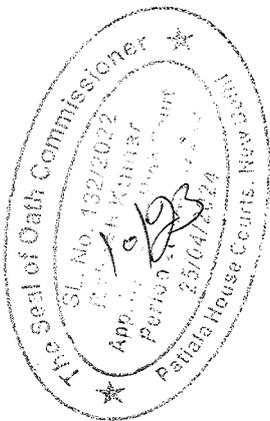
I, Sultan Singh S/o Sh. Ramkishan aged about 60 years resident of H. No. 553, Doplan Pana, Tikri Kalan, Delhi – 110041, do hereby solemnly affirm and declare as under:

1. That I have been arrayed as Respondent No.14 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

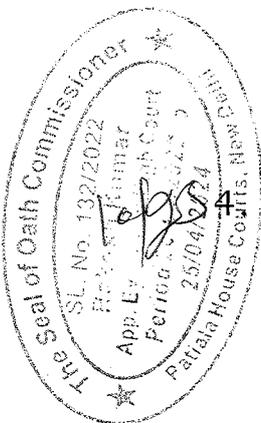


Applicants have filed the present original application to harass the innocent and poor villagers like the present answering respondent, without arraying all the actual offenders, who are in fact, responsible for dirt, cattle excreta and choking sewer in the vicinity which may ultimately detrimental to 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, twelve buffalo/cows has been shown in the possession of the Deponent/answering



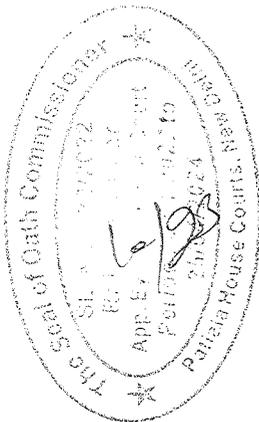
Respondent, which is absolutely wrong. It is submitted that answering respondent/deponent is having only 02 buffaloes and that too only for his personal use. It is submitted that the said report is manufactured by the official respondents in hand in glove with the real culprits. If the official respondents 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.



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 12 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-1⁴/A.**

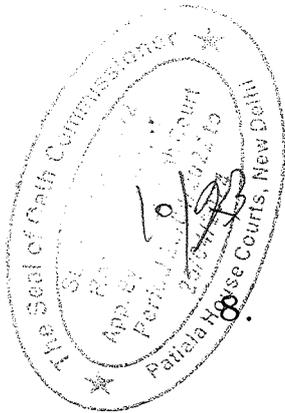
5. It is submitted that the allegations which is raised against the answering respondent in the original application as well in the report of the committee as to foul smell and filth in vicinity is false, frivolous and fabricated. Because, the distance between the house of answering respondent and Petitioners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



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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. 14 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.

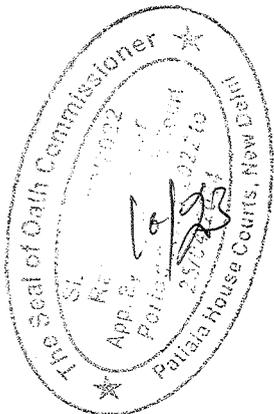


8. It is respectfully submitted that present O.A. has been filed by the Petitioners to harass the Respondents. It is submitted that the resident of

the Respondent No. 14 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 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.

Rajendra Singh
Deponent

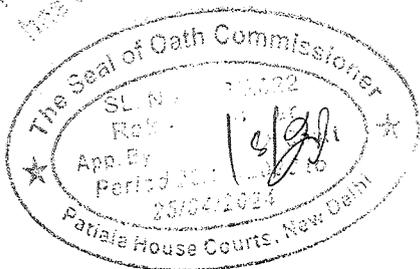
Verification :

2 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.

Rajendra Singh
Deponent

Kam Ah
I declare the document to be signed by me



CERTIFIED BY THE OATH COMMISSIONER
Shri /Smt./Krn... *Sudhanshu Go*
S/o, W/o, D/o... *Ram Prasad*
R/o... *Ramesh Prasad*
Identified by... *Kam Ah*
has signed on... *10/10/23*
on... **2 NOV 2023**
that the contents of the affidavit have
been read and found to be true and
correct to his knowledge.

RK
Oath Commissioner
New Delhi

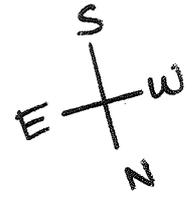
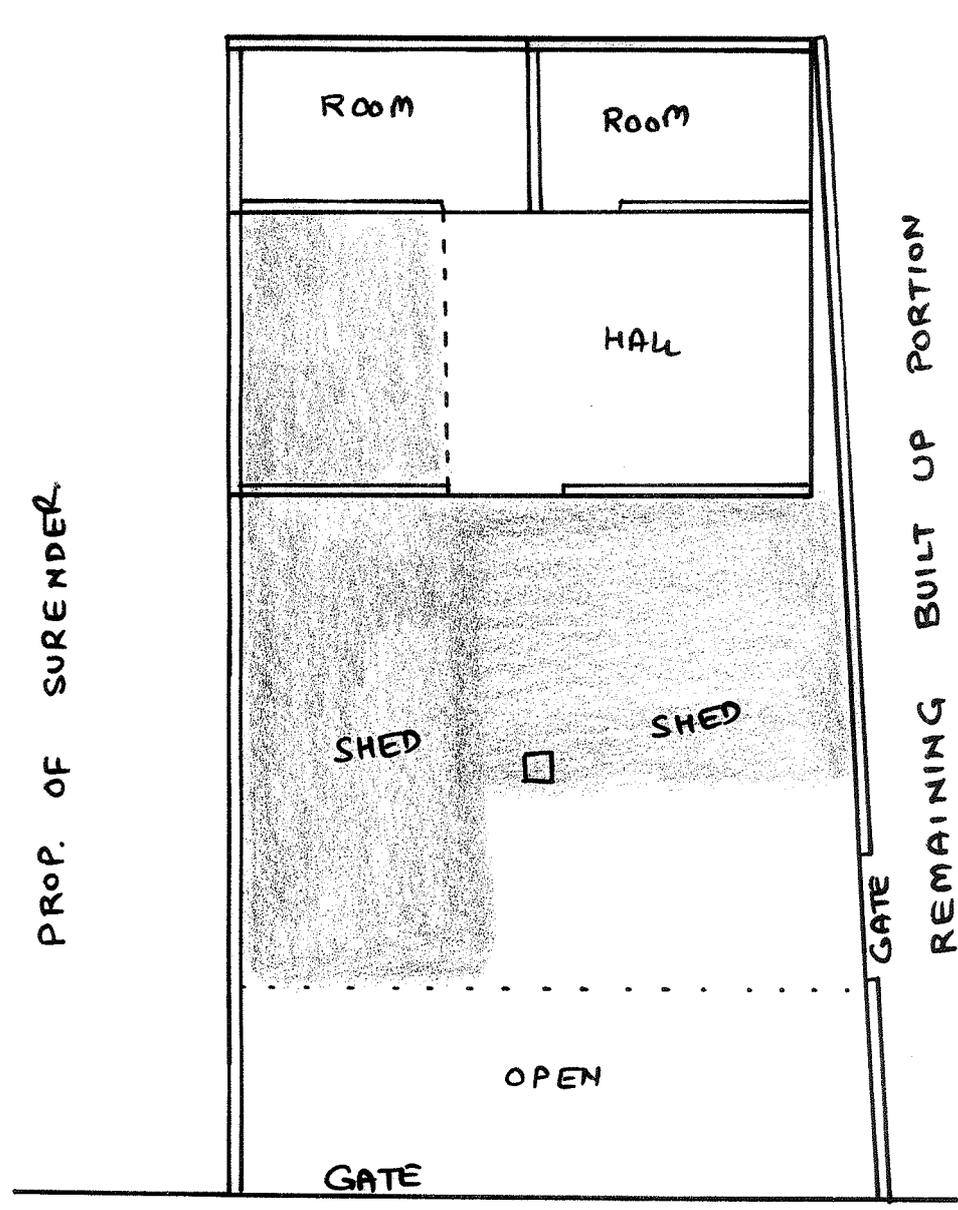
2 NOV 2023

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SITE PLAN OF THE PORTION AREA MEASURING 90 SQ.YDS APPROX. SHOWN IN RED COLOUR, WHERE BUFFALO / CATTLE OF SH. SULTAN SINGH S/O RAM MEHAR WERE KEPT IN PLOT NO. 132, VILLAGE TIKRI KALAN, NEW DELHI-110041

PROP. OF MAHENDER



← ROAD

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ROAD

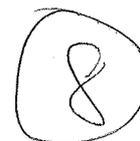
MUKUL
23/9/23

MUKUL KUMAR SHARMA
Draughtsman (Civil)
Lawyer's Chamber, Ground Floor,
Near State Bank Dwarka Court,
Delhi-110075
M.: 9990059455, 3810251140

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



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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.

