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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH NEW DELHI**

E.A. NO. 46 /2023 In OA no. 989/2019

In the matter of

Ved Prakash Aggarwal

Applicant

Versus

Municipal Corporation Ghaziabad

Respondent

And in the matter of

Manoj Tyagi

Vs Uttar Pradesh Pollution Control

(present Execution Applicant)

Board & Ors

(Respondents)

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Date:04.03.2024**New Delhi****FILED BY:-**

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Delhi High Court, New Delhi**M. 9811894060, 7838707338**

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OBJECTIONS ON BEHALF OF THE APPLICANT

That the present Execution Application was filed highlighting the inaction and non-filing of report by the UPPCB regarding the illegal operation of Dairies in Keshav Nagar/Raj Nagar Colony of Hapur District Uttar Pradesh.

That the Applicant in all humility takes the following Objections and submissions with respect to the report dated 06.02.2024 filed by the UPPCB.

1. That action purportedly against 3 dairies only have been taken, that too subsequent to filing of present execution application before this Hon'ble Tribunal.
2. That without prejudice it is submitted, that the Applicant has highlighted total no. of dairies as 15 which are illegally running in the colony, however to the contrary, the report dated 06.02.2024 assumes running of only 7 dairies in the said colony whose owners have been mentioned as:-
 - i. Mukesh S/o Dharmpal
 - ii. Nitesh S/o Dharmpal
 - iii. Pradeep S/o Rajpal

- iv. Subhash S/o Jagdish
- v. Naresh S/o Dharmpal
- vi. Buntly Yadav S/o Pappu
- vii. Ashok S/o Sunny Yadav

3. It is submitted that from the reply of the UPPCB it is discernible that either inspection of the entire Raj Nagar/Keshav Nagar has not been undertaken by the authorities or they are deliberately hiding the correct picture at ground.
4. That the Applicant hereby submits that apart from the names of 7 dairies so mentioned in the Report, the other dairies are also functional and operating by the following persons:
- i. Rishipal Laggad S/o Moolchand
 - ii. Kanhaiya Lal Yadav S/o Chaman Lal Yadav
 - iii. Vinod Yadav S/o Chaman Lal Yadav
 - iv. Budh Prakash Yadav S/o Shri Chandi Yadav
 - v. Jai Prakash Yadav S/o Sunny Yadav
 - vi. Om Prakash Yadav S/o Sunny Yadav
 - vii. Monu Yadav S/o Ratan Lal

That apart from these above mentioned dairies, several other dairies are also operating whose names are not known to the Applicant but can spot them, if authorities inspect the area with applicant.

5. That the Report dated 06.02.2024 has claimed that out of 7 mentioned dairies, 4 had closed their operation in past and 3 have closed down on 06.02.2024.

It is submitted without prejudice to the actual no. of dairies, that the closure of the dairies in front of the authorities was mere eyewash as these dairies are still in operation, although running by adopting various tactics like putting layer of curtains at the entry gates.

Recent GPS photographs along with dates and location showing heap of cowdung in the colony, cowdung on the roads, tractors coming with fodder in the colony, group of cattle roaming, group of cattle relaxing in sun in open place, cattles grazing outside the house etc. have been taken by the applicant.

The copy of GPS photos taken on various dates subsequent to the purported closure on 06.02.2024 are annexed as **ANNEXURE A/1**.

6. It appears that for the sake of symbolic action, photos have been taken by the UPPCB after shifting the cattles outside from the premises.
7. It is further submitted that although the report dated 06.02.2024 claims the attachment of affidavits submitted by such dairy owners with respect to closure of their dairies in the Raj Nahar/Keshav Nagar colony, however no such affidavits have been placed on record by the UPPCB.

PRAYER

In light of the above it is humbly prayed before the Hon'ble Tribunal that a thorough and surprise inspection be conducted by Local Commissioner or higher officers of any independent agency in order to ascertain the truth about the total number of illegal

dairies currently in existence and further their operation be closed on the ground and not just on paper.

Dated 05.03.2024

Manojkumar
Applicant

Through

Chaitanya
Counsel



 **GPS Map Camera**



Hapur, Uttar Pradesh, India

Rajnagar colony, Swarg Ashram Rd, near railway crossing, Raj

Nagar Colony, Hapur, Uttar Pradesh 245101, India

Lat 28.738846°

Long 77.79185°

10/02/24 09:45 AM GMT +05:30



 **GPS Map Camera**

Hapur, Uttar Pradesh, India

Rajnagar colony, Swarg Ashram Rd, near railway crossing, Raj

Nagar Colony, Hapur, Uttar Pradesh 245101, India

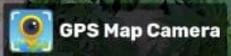
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Long 77.79183°

10/02/24 09:38 AM GMT +05:30



Hapur, Uttar Pradesh, India
PQRQ+5X5, Raj Nagar Colony, Hapur, Uttar Pradesh 245101, India
Lat 28.74029°
Long 77.790221°
16/02/24 03:40 PM GMT +00:00





 **GPS Map Camera**



Hapur, Uttar Pradesh, India
Rajnagar colony, Swarg Ashram Rd, near railway crossing, Raj
Nagar Colony, Hapur, Uttar Pradesh 245101, India
Lat 28.738903°
Long 77.79191°
14/02/24 12:33 PM GMT +05:30





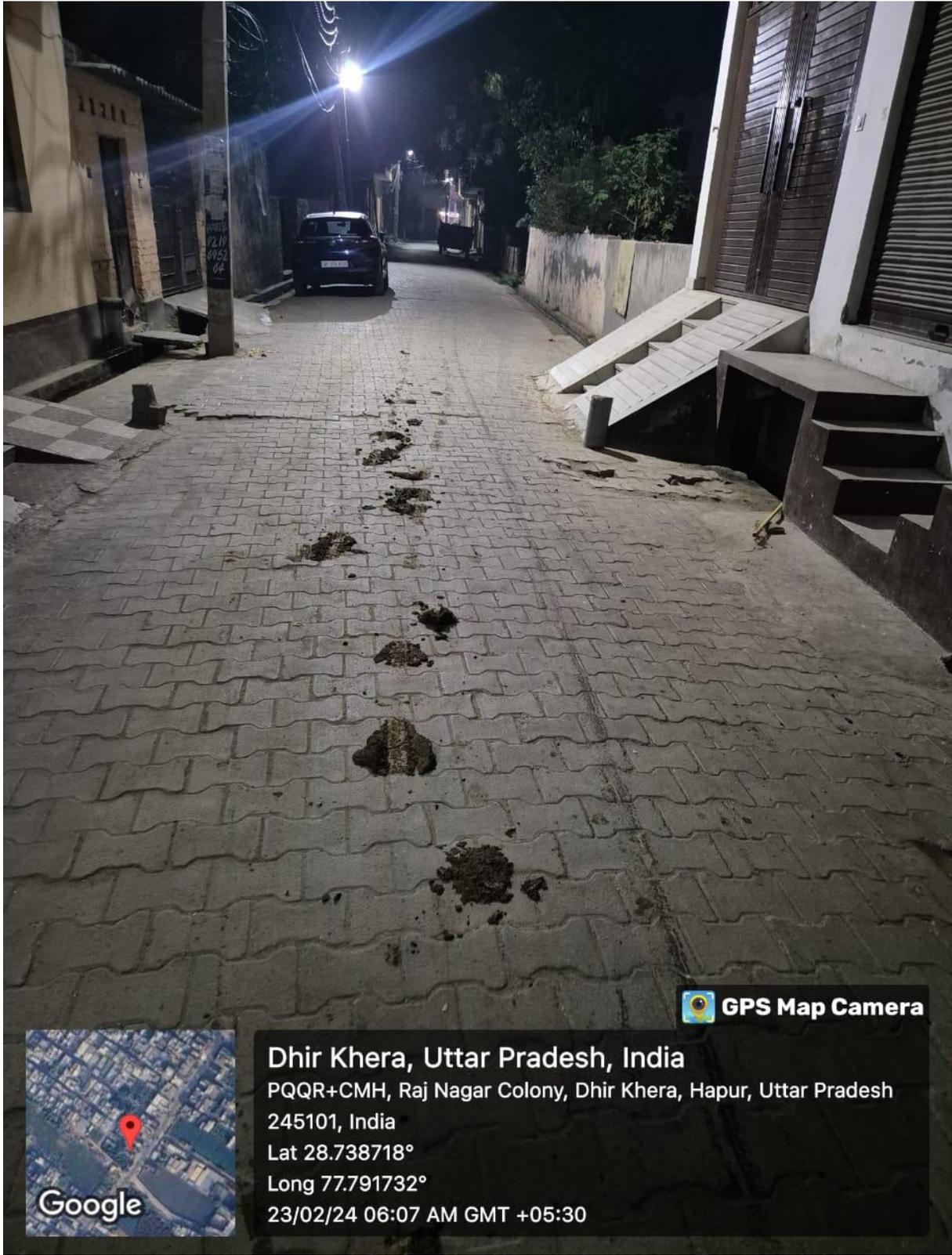




GPS Map Camera



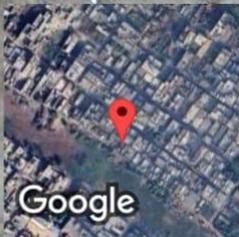
Hapur, Uttar Pradesh, India
PQQR+P5G, Raj Nagar Colony, Hapur, Uttar Pradesh 245101, India
Lat 28.739386°
Long 77.790814°
23/02/24 08:40 AM GMT +05:30



 **GPS Map Camera**



Dhir Khera, Uttar Pradesh, India
PQQR+CMH, Raj Nagar Colony, Dhir Khera, Hapur, Uttar Pradesh
245101, India
Lat 28.738718°
Long 77.791732°
23/02/24 06:07 AM GMT +05:30

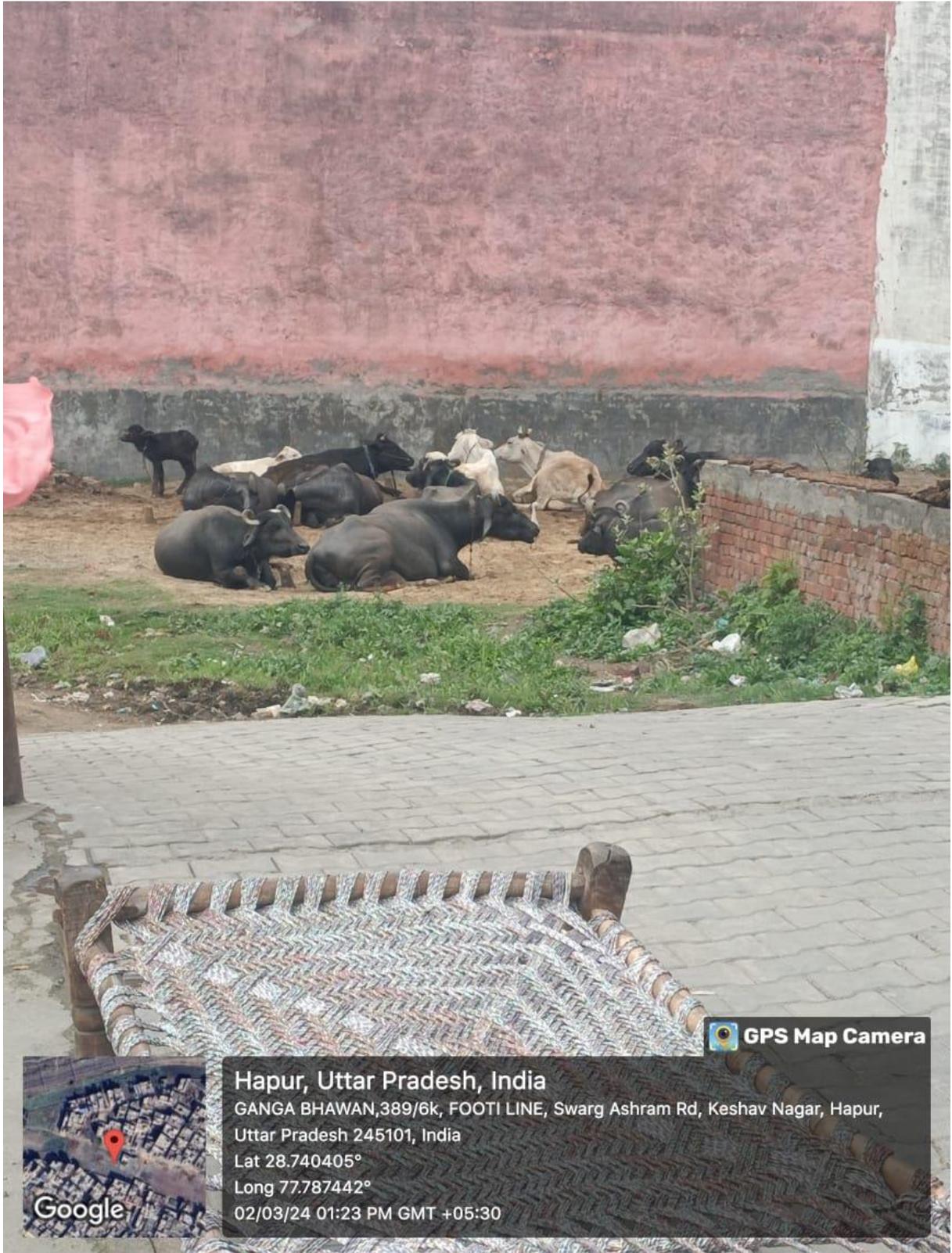


Google

 GPS Map Camera

Hapur, Uttar Pradesh, India
PQQR+P5G, Raj Nagar Colony, Hapur, Uttar Pradesh 245101, India
Lat 28.739493°
Long 77.790484°
21/02/24 04:20 PM GMT +05:30





GPS Map Camera

Hapur, Uttar Pradesh, India
GANGA BHAWAN,389/6k, FOOTI LINE, Swarg Ashram Rd, Keshav Nagar, Hapur,
Uttar Pradesh 245101, India
Lat 28.740405°
Long 77.787442°
02/03/24 01:23 PM GMT +05:30