

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
(PRINCIPAL BENCH) AT NEW DELHI**

O.A. NO. 281/2022

**IN THE MATTER:-**

**Dayaram**

.....Applicant

**Versus**

**Govt. of NCT of Delhi &ors.**

.....Respondents

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Through

New Delhi  
Dated:- 6/2/23.  
MCD

  
PUJA KALRA  
Standing Counsel

Chamber No. 430, Block-I  
Delhi High Court, New Delhi.  
Mob. 9312839323

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**Status Report on behalf of the MCD in Compliance of orders dated  
13.10.2022 passed by this Hon'ble Tribunal.**

1. That the present matter has been filed by the applicant seeking action against illegally running of a dairy by Sh. Satish Yadav at house No. 5778, Gali No. 5, New Chandrawal, Jahawar Nagar, Delhi in violation of the directions given by this Tribunal. Alternative land had been allotted to Mr.Satish Yadav at Bhaleswa dairy farm which has been rented out by him to some other persons. Illegal running of the dairy farm is causing serious sanitation, hygiene and environmental problems including clogging of drains, water stagnation and posing health hazards etc. the stray cattle also endanger the safety of children and others.
2. That the present matter was listed before this Hon'ble NGT on 28.04.2022 wherein a Joint Committee was formulated comprising of DPCC and Deputy Commissioner, North East Delhi.

3. That in compliance of the order dated 28.04.2022 passed by this Hon'ble Tribunal a report of joint committee was filed by the DPCC on 11.10.2022.
4. That the present matter was again listed before this Hon'ble NGT on 13.10.2022 wherein this Hon'ble Tribunal impleaded Commissioner, Municipal Corporation, Delhi as a respondent No. 2 in this matter and directed respondents No. 1 to 3 to file their reply/response.
5. That in Pursuance to the complaint made in the present petition an inspection was carried out by concerned department of answering respondent and Show cause cum closure notice was issued vide no.13/DDVS/KPZ/2022(Misc.) dated 31.10.2022 to the above said illegal dairy owner for closing down the illegal dairy. Copy of the Show cause cum closure notice dated 31.10.2022 is annexed herewith as **Annexure-A**.
6. That the illegal dairy owner Sh. SatishYadav was prosecuted vide challan No. 152887 dated 31.10.2022 under section 397/417 of the DMC Act. Copy of the challan No. 152887 dated 31.10.2022 is annexed herewith as **Annexure-B**.
7. That the illegal dairy premises 5778/5 (Part of) New Chandrawal Delhi was sealed by the veterinary department with the help of police provided by P.S. Roop Nagar on dated 18.11.2022. Photographs of the sealed premises are annexed herewith as **Annexure-C**. However it is pertinent to mention that, at the time of sealing of illegal dairy, no cattle was found at the site in question. The premises was again inspected on 16/1/2023 and it was noticed

that premises was lying sealed and no cattle was found nearby the premises in question.

8. That Further, a notice vide no. 401/DDVS/KPZ/2023 dated 27.01.2023 was sent to the illegal dairy owner Sh. Satish Yadav S/o Sh. Bharat Singh to reply within three days as to where he has been maintaining his cattle. Copy of the notice dated 27.01.2023 is annexed herewith as **Annexure-D**. The reply is yet to be received.
9. That a letter vide No.407/DDVS/KPZ/2023 dated 28.01.2023 was sent to SHO / P.S. Roop Nagar thereby requesting to lodge FIR U/s 289 IPC against the said illegal dairy owner. Copy of the letter dated 28.01.2023 is annexed herewith as **Annexure-E**.
10. That in the Meanwhile joint cattle catching campaigns in District North including New Chandrawal Nagar & adjoining areas have been conducted in the past and 30 cattle impounded from 10.1.2023 to 14.1.2023. Further, 7 nos. of cattle were caught on 02.02.2023 and all these cattle have been rehabilitated to Gopal Gosadan Harevli and Dabar Hare Krishana Gaushala, Surhera which are operated under the administrative control and supervision of Animal Husbandry Department of GNCTD.
11. That also a letter has been sent recently vide no. 417/DDVS/KPZ/2023 dated 02.02.2023 to DPCC for prosecuting the aforesaid as well as other illegal dairy owners of New Chandrawal for creating pollution in New Chandrawal and adjoining localities as their cattle roam on the roads and

create insanitary conditions besides pollution. Copy of the letter dated 02.02.2023 is annexed herewith as **Annexure-F**.

12. That the action for impounding of stray cattle belonging to the illegal dairies of New Chandrawal & vicinity areas is continuing.



Deputy Director (VS)  
Keshav Puram Zone



MUNICIPAL CORPORATION OF DELHI  
VETERINARY SERVICES DEPARTMENT  
KESHAVPURAM ZONE

7  
D.A.  
केशवपुरम  
वैद्यकीय सेवा विभाग

No. 13 /DD(VS)/KPZ/2022(MISC)

Date: 31/10/2022

To

Shri Satish Yadav  
H.No. 5778, Gali No. 5, Chandra-  
wal, Delhi.

9c

SHOW CAUSE -CUM -CLOSURE NOTICE

1. Whereas, Veterinary Services Department, MCD through a public notice dated 11.02.2012 issued information to all illegal dairy owners that dairy owners who allotted dairy plots at Ghoga Dairy colony or who have not allotted dairy plots at Ghoga Dairy colony are requested to transfer your illegal dairy from urban area of the city in order to ensure compliance of Hon'ble High Court of Delhi (Common Cause Society V/s UOI, CWP no. 3791) or otherwise department will impound the cattle from illegal dairies and will seal the illegal dairies without any prior show cause notice or personal notice.
2. Vide office order no. 31/DD(VS)/Enf./2012 dated 15.02.2012 Director(VS) directed as:- 'In view of the above, all the Deputy Director (VS) of the zones are hereby directed to take immediate action for removal/sealing of illegal dairies running in urban areas under their zonal jurisdiction'.
3. Vide letter no. 102/DVS/PS/MCD/2022 dated 17.08.2022, Director(VS) directed to issue notice to all illegal dairy owners to stop the illegal dairy activities failing which illegal dairy be sealed by Deputy Director(VS)/VOs.
4. You have found running illegal dairy in urban area and department prosecuted you with vide challans no. 152887 dated 31/10/2022
5. Therefore, you are hereby directed to explain your position within 15 days that why you run illegal dairy in the urban area of MCD jurisdiction or without license. In case, your illegal dairy in urban area or without license then closes down it immediately.

Shankar  
Deputy Director (VS)  
Keshav Puram Zone  
D.D.V.S./KPZ/MCD

Copy for kind information:-

1. Deputy Commissioner/KPZ
2. Office copy

Shankar  
2.11.22

पुस्तक नं. 152887 क्षेत्र करीब पुरा  
चालान नं. MT1 परिवार MT1 विभाग 12/1/1/1/1/1/1

श्री सतीश मापल सुपुत्र श्री अरवि व्यवसाय डायरी

निवासी 53383101 नं. 5-4192 को आज दिनांक 31/10/2022

बजे 11 AM निम्नलिखित अपराध करते हुए देखा, जोकि दिल्ली नगर निगम अधिनियम, 1957 की धारा 397/417 /461 के अन्तर्गत दण्डनीय है।

उपरोक्त/व्यक्ति/ जाय मालिक डायरी चलाता है  
1671 मिठाई का स्टॉल के अग्रभाग डायरी चलाता है और  
पूरा इलाका है मिसकिल डायरी चलाता है

इसलिए परिवार तैयार करके अभियुक्त को सूचित किया गया है कि वह

दिनांक 09.11.2022 को 10 बजे श्री अरवि मेट्रोपोलिटन/  
म्युनिसिपल मजिस्ट्रेट के न्यायालय स्थित 36लीन एन 10 में उपस्थित  
होकर अपराध का उत्तर दें।

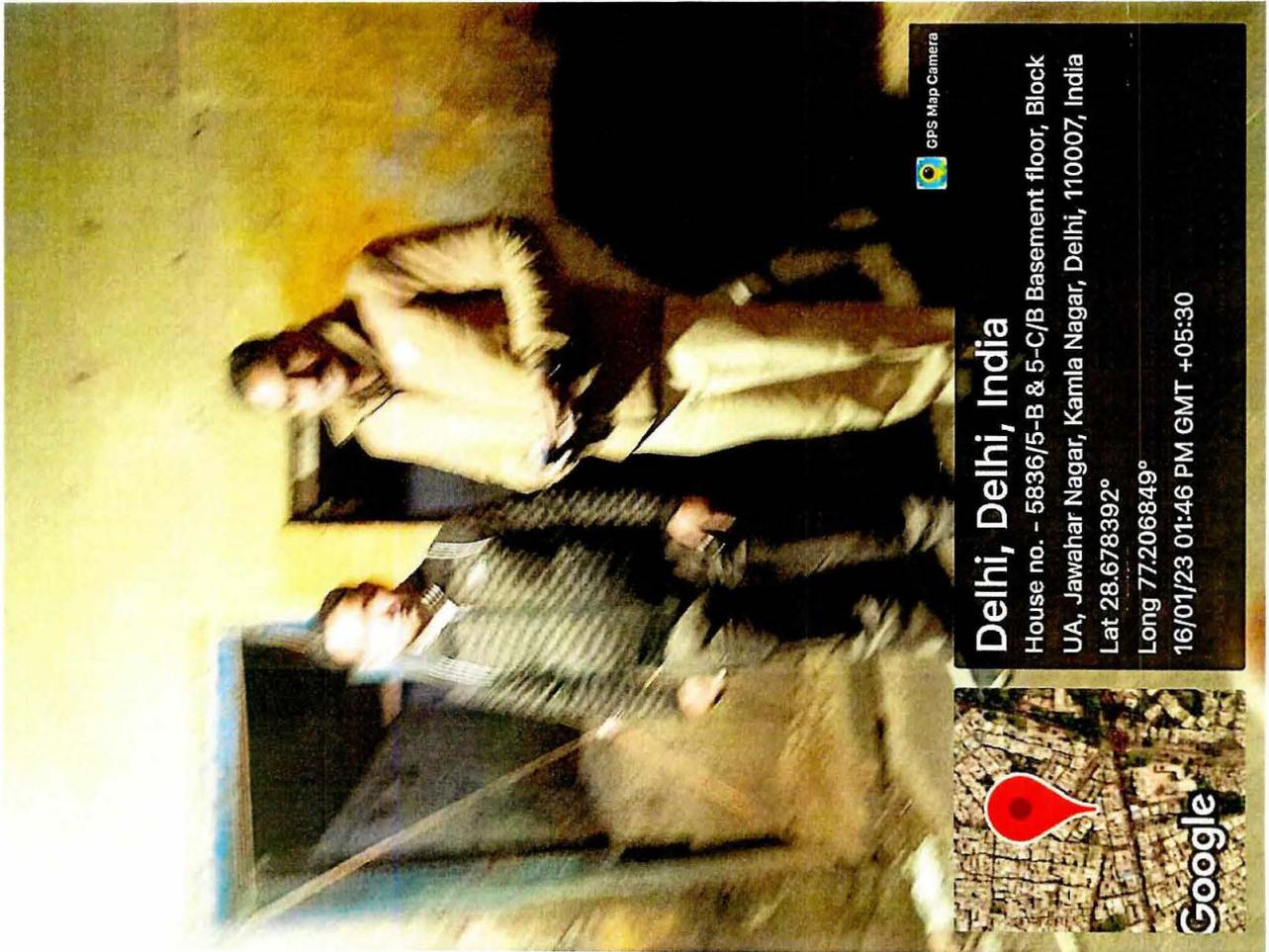
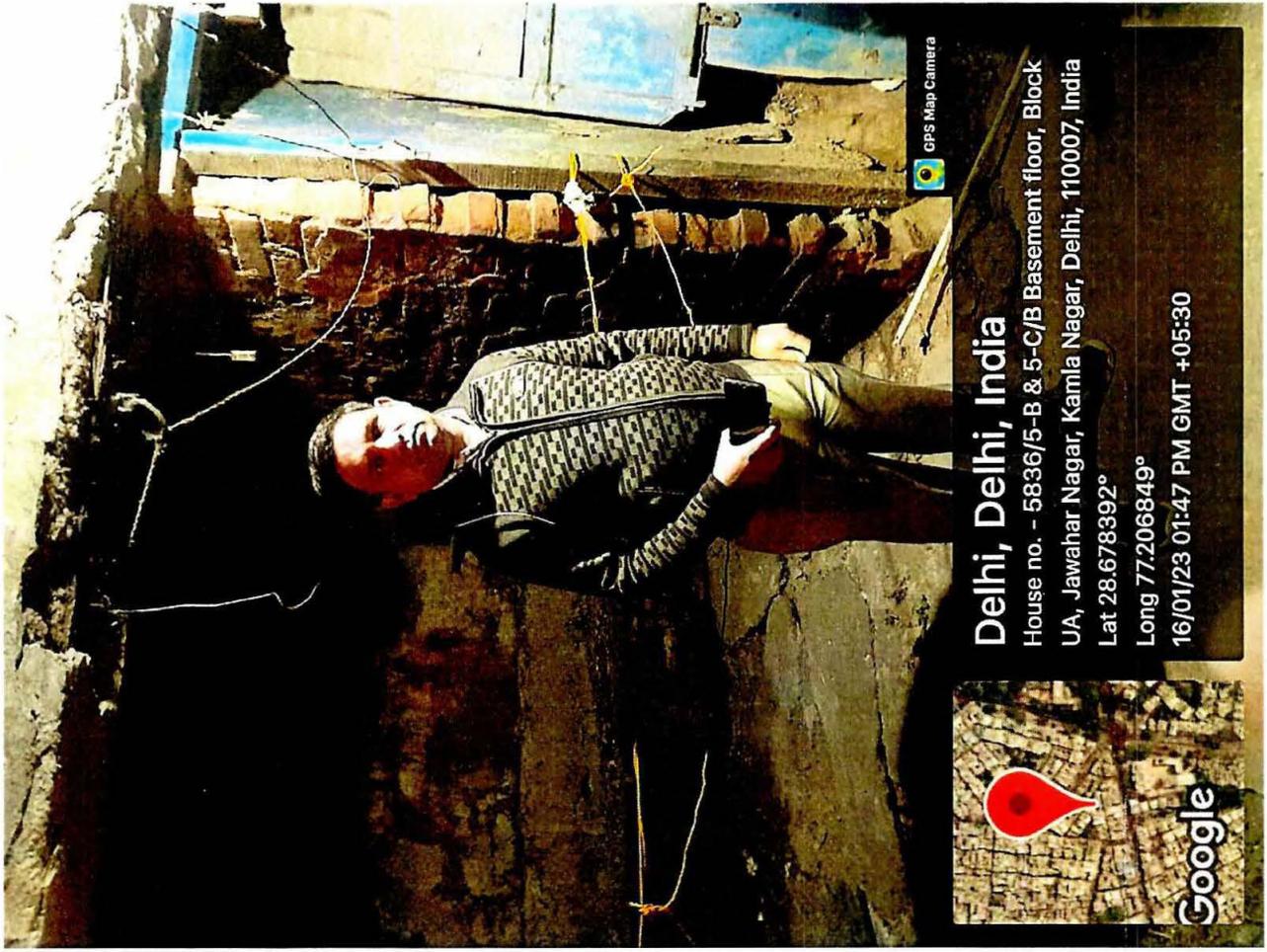
अभियुक्त के हस्ताक्षर या अंगूठे का चिन्ह: सतीश परिवारी के हस्ताक्षर  
प्रतिवेदनकर्ता के हस्ताक्षर ATK

श्री सतीश मापल सुपुत्र श्री अरवि

को सूचना दी जाती है कि वह दिनांक 31/10/2022 को श्री अरवि  
मेट्रोपोलिटन/म्युनिसिपल मजिस्ट्रेट के न्यायालय स्थित 36लीन एन 10 बजे उपस्थित  
होकर अपराध 397/417 /461 दिल्ली नगर निगम अधिनियम, 1957 के अन्तर्गत उत्तर दें।

दिनांक 31/10/2022 पृष्ठ उलटिये 152887 परिवारी के हस्ताक्षर  
प्रतिवेदनकर्ता के हस्ताक्षर ATK





MUNICIPAL CORPORATION OF DELHI  
VETERINARY SERVICES DEPARTMENT  
KESHAVPURAM ZONE  
A-1, KESHAV PURAM, DELHI-110035

No. 401/DDVS/KPZ/2023

Dated:- 27.01.2023

Notice

1. Pursuant to the complaint made in the Honourable NGT in OA no. 281 of 2022 Daya Ram V/s GNCTD pertaining to running of illegal dairy by you i.e. Satish Yadav S/o Sh. Bharat Singh at premises 5778/5. New Chandrawal Delhi and orders dated 13.10.2022 of the Hon'ble NGT in the matter, a Show cause cum closure notice was issued vide no. 13/DDVS/KPZ/2022(Misc.) dated 31.10.2022 to the above said illegal dairy owner for closing down the illegal dairy.

2 You were also prosecuted vide Challan number 152887 on 31st October 2022 for running illegal dairy without license.

3 A time of 15 days was given to you through the said notice to close down your illegal dairy at above said address being run in urban area, however this notice was not replied by you as the department did not receive any response from your side resultingly the said illegal dairy premises of yours at part of H. no. 5778, Gali no 5, New Chandrawal was sealed by the department with the help of police PS Roop Nagar on 18/11/ 2022.

4 The premises was checked subsequently by our staff in the presence of police on dt 16.01.2023 and it was found sealed.

5 However there were no cattle on both the occasions i.e, at the time of sealing on dt 18.11.2022 and on subsequent date of revisit on dt. 16.01.2023.

6. In view of above you are hereby directed to inform the status of cattle of your illegal dairy as to where you have been maintaining your cattle, at which place to ensure their seizure and deportation to concerned Gaushala of Delhi Govt.

The reply of this notice be submitted within 3 days in this office failing which subsequent action as deemed fit will be initiated by the department.

  
27.01.2023  
Deputy Director (VS)  
Keshav Puram Zone  


Satish Yadav S/o Sh. Bharat Singh  
5778/5. New Chandrawal Delhi

Copy to:-

1. Dy. Commissioner/Keshav Puram Zone
2. Director(VS)/MCD
3. Office Copy

MUNICIPAL CORPORATION OF DELHI  
VETERINARY SERVICES DEPARTMENT  
KESHAV PURAM ZONE, A-1, KESHAV PURAM, DELHI

No. 407/DD (VS)/KPZ/2023Date 28.1.2023The SHO,  
Police Station Roop Nagar Delhi-Subject :- Lodging of FIR under section 289 IPC & 98 of D.P. Act against illegal dairy owner Satish Yadav S/o Bharat Singh R/o 5778/5 New Chandrawal

Sir,

1. The aforesaid illegal dairy owner is running illegal dairy continuously in defiance of orders of Hon'ble High Court of Delhi passed in CWP no. 3791/2000 (Common Cause Society V/s UOI & Ors.) and Subsequently WP(C) 697/2016 (Sham Sharma V/s GNCTD & Ors.). He has not stopped the illegal activities of dairying and let's loose his cattle on road, parks, lanes and bylanes of New Chandrawal, Malkaganj, Kolhapur Road, Ghantaghar, Roshanara Road, Kamla Nagar, GT Road, Shakti Nagar FCI Godowns and adjoining residential localities causing insanitation, traffic hazard danger to the life and property of public besides cruelty on animals by not providing feed, water, shelter.

2. A letter vide no. 308/DD(VS)/KPZ/2022 dated 31.10.2022 was sent by this office to the DCP(North) District to lodge FIR u/s 289 IPC & 98 D.P. Act (copy enclosed for reference) but till date no copy of FIR has been received in this office.

3. It is pertinent here to mention that the Hon'ble High Court of Delhi in the CWP no. 3791/2000 constituted a Two-Member "Co-ordination Committee" comprising of Dy. Commissioner of Municipal Corporation & Dy. Commissioner of Police of the respective district to ensure the eradication of stray cattle and illegal dairies from urban areas of Delhi.

4. The Veterinary Services Department of Keshav Puram Zone has been conducting regular cattle catching raids for removing the illegal dairies/ stray cattle of this area besides prosecution but it has been observed that these cattle illegal dairy owners including the above said person have not stopped their activities. They not only stop the staff and prevent from catching their cattle from the roads but also threaten them usually. There have been instances of attack by the illegal dairy owners on the municipal staff in the past. They also adopt modus operandi to take away their animals in other area during such drive the after the MCD staff complete the action, they shift their animals back in the same area. **They are habitual/repeat offenders who let their cattle loose to stray on the roads/streets** to create hindrance in smooth movement of traffic which may also cause road accidents besides insanitation. As such these stray cattle/illegal dairy owners should be charged with endangering life and property of public by way of their illegal activities.

5. Recently joint cattle catching operations have been carried out by different zones of Veterinary Services Department, MCD with the help of police of North West District and North District simultaneously on 10.01.2023, 12.01.2023 and 14.01.2023 wherein 125 cattle were removed from Rajpura Gurmandi and adjoining areas out of which 30 cattle were caught from North District in New Chandrawal and vicinity viz. Malkaganj, Shora Kothi, Kolhapur Road, Roshanara Road etc.

6. The illegal dairy owners of new chandrawal including above illegal dairy owner leave/force their cattle to roam on the roads in areas of Malkaganj, Kolhapur Road, Ghantaghar, Roshanara Road, Kamla Nagar, GT Road, Shakti Nagar FCI Godowns and are habitual offenders in making their cattle run on the roads riding on motorcycles, Scooties away from the MCD staff to interrupt and prevent from catching by the MCD staff. The activities of illegal dairy owners not only make the roads dirty but also create traffic hazards conditions and put life and property of public at risk and therefore have to be booked accordingly by the police.

7. In view of above, it is again requested that strict action including lodging of FIR under all relevant sections of IPC including IPC 289 and 98 of DP Act against the above named illegal dairy owner/habitual offender be taken to stop him from carrying out the illegal activities of dairying and/or leaving cattle on the roads/public land to prevent danger to the life and property of public.

Thanking You,

Yours faithfully

28.1.2023  
Dy. Director (VS)  
Keshav Puram Zone

Copy to :-

- Deputy Commissioner, Keshav Puram Zone
- DCP NORTH District Civil Lines.
- Director (VS), MCD



Deputy Director (V.S.)  
Keshav Puram Zone  
Municipal Corporation of Delhi

MUNICIPAL CORPORATION OF DELHI  
VETERINARY SERVICES DEPARTMENT, KESHAVPURAM ZONE  
ROOM NO.15, A-1, KESHAV PURAM DELHI-110035

No. 417/DDVS/KPZ/2023

Date: 2/02/2023

To

The Senior Environmental Engineer  
CMC-VII, 4<sup>th</sup> floor, DPCC (Water Lab)  
Department of Environment, GNCTD  
ISBT Building, Kashere Gate.  
Delhi-110006

**Subject: Controlling nuisance of stray cattle & illegal dairies in New Chandrawal area of Keshav Puram Zone of MCD-Prosecution by DPCC.**

Sir,

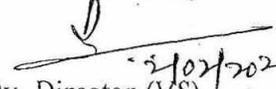
The Hon'ble NGT vide orders dated 13 Oct 2022 in O.A. No. 281/2022 in the matter of Dayaram Vs. Govt. of NCT of Delhi & Ors. while impleading Municipal Corporation of Delhi as one of the respondents has directed to take action against the illegal dairy of Mr. Satish Yadav S/o Shri Bharat Singh at 5778/5, New Chandrawal Delhi.

2. The Veterinary Services Department of Keshav Puram Zone has prosecuted the above illegal dairy owner on 31.10.2022 under DMC Act-1957 besides sealing his illegal dairy premises on 18.11.2022 and has also sent a letter vide no. 407/DD(VS)/KPZ/2023 dated 28.01.2023 to SHO/PS Roop Nagar to lodge FIR against the said illegal dairy owner u/s 289 of IPC. Besides this letters have been sent to SHO/PS Roop Nagar for lodging FIRs against other illegal dairy owners also from New Chandrawal who are habitual defaulters and leave their cattle to roam on the roads in the neighbouring area/localities creating insanitation, pollution.

3. In this pursuit, a number of joint enforcement actions have also been undertaken by the veterinary deptt. staff of the zones of MCD and police force provided by the DCP(North District) thereby rounding up 30 nos. of cattle have been caught from 10.01.2023 to 14.01.2023 from the area of New Chandrawal and adjoining localities of Malka Ganj, Shora Kothi etc. In addition, 7 cattle have been caught today from Malka Ganj which belonged to illegal dairies of New Chandrawal. The enforcement actions shall continue.

4. In this context, a list of 8 illegal dairy owners of New Chandrawal including the aforesaid illegal dairy owner Satish Yadav S/o Sh. Bharat Singh at 5778/5, New Chandrawal, Delhi is enclosed with the request to prosecute them under EPA-1986 and other relevant rules/regulations also by DPCC.

Yours sincerely

  
Dy. Director (VS)  
Keshav Puram Zone

Copy for information to:-

1. Dy. Commissioner/Keshav Puram Zone