



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ संख्या: 102576 / सी-3 / NGT. 345 / 2023 दिनांक: 2 / 11 / 2023

To,

The Registrar,
The National Green Tribunal,
Principal Bench,
New Delhi
E-mail- judicial-ngt@gov.in

Sub: Report of The Joint Committee Inspection Report in compliance of the order dated- 02.08.2023 passed by Hon'ble National Green Tribunal, New Delhi in Original Application No. 461 of 2023 Surender Singh & Ors. Versus State of U.P.

Sir,

In compliance of the order dated- 02.08.2023 passed by the Hon'ble National Green Tribunal, New Delhi in Original Application No. 461 of 2023 Surender Singh & Ors. Versus State of U.P. The inspection of Joint Committee conduct on 08.09.2023. The Joint Committee Inspection Report is annexed as **Annexure-A**.

The Municipal Corporation, Meerut vide letter dated-27.10.2023 has directed Sanitary and Food Inspector, Meerut to take Legal Action against the Shri Rakesh Sharma,, R/o 476/5 Jagriti Vihar, Meerut. The copy of this letter is annexed as **Annexure-B** herewith and forwarded to you with the request that the same may be placed before the Hon'ble Tribunal.

Yours Sincerely

Enclosure- As above

Chief Environmental Officer,
Circle-3

Copy to:

1. District Magistrate, Meerut.
2. Shri Pradeep Mishra, Advocate on Record, Hon'ble Supreme Court/ NGT, New Delhi for necessary action please.
3. Law Officer-1, U.P. Pollution Control Board, Lucknow for information and necessary action please.
4. Regional Officer, U.P. Pollution Control Board, Meerut for information and necessary action.

Chief Environmental Officer,
Circle-3

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3.	The Municipal Corporation, Meerut vide letter dated-27.10.2023 has directed Sanitary and Food Inspector, Meerut to take Legal Action against the Shri Rakesh Sharma,, R/o 476/5 Jagriti Vihar, Meerut. The copy of this letter is annexed as Annexure-B	07

REPORT IN COMPLIANCE TO HON'BLE NGT ORDER DATED 02.08.2023 IN THE ORIGINAL APPLICATION NO. 461 OF 2023 IN THE MATTER OF SURENDER SINGH AND OTHERS VS STATE OF U.P.

Background-

Hon'ble NGT in its Order Dated 02.08.2023 Original Application No. 461 of 2023 in the matter of Surender Singh and others vs State of U.P., which is registered on the basis of letter petition filed complainant Surender Singh and other residents of Jagriti Vihar, Meerut through post, directed as below-

.... " 1. The grievance in the present application is regarding running of milk dairy by Rakesh Sharma resident of 476/5 Jagrati Vihar in residential plot No. 45/1. The applicant has submitted that milk dairy is being looked after by employees of Rakesh Sharma who comes in the morning and evening only for sale of milk. The cow dung and other garbage is gathered in the plot and drained with water drawn by submersible pump into municipal drain which remains choked. The garbage is leading to growth of flies and mosquitoes and creating health hazards to residents of the colony. The residents of the colony requested Rakesh Sharma to shift the dairy but he refused.

2. Prima facie, the averments made in the application raise questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010.

3. In view of the averments made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position and take appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of Uttar Pradesh State Pollution Control Board (UPSPCB) and District Magistrate, Meerut and direct the same to meet within one week, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and take appropriate remedial action by following due course of law and giving opportunity of being heard to the project proponent. The State PCB will be the nodal agency for coordination and compliance.

4. *Factual and Action taken Report may be submitted within one month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.*

5. *We also consider it appropriate to seek response from Rakesh Sharma resident of 476/5 Jagrati Vihar, Meerut, Uttar Pradesh. The Registry is directed to issue notice to the Project Proponent requiring him to file his response to the averments made in the application by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.*

6. *List for further consideration on 07.11.2023.*

7. *A copy of this order, along with a copy of the application and documents attached with the same, be forwarded to the UPSPCB and District Magistrate, Meerut by e-mail for requisite compliance."....*

Inspection of site and findings-

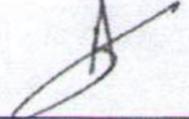
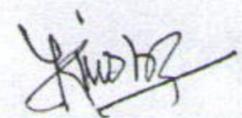
Inspection of site was carried out on 08.09.2023. During inspection Shri Surya Manya S/o Shri Rakesh Sharma present at the time of inspection. He told that his father Shri Rakesh Sharma is owner of questioned Plot No. 476/5 having area approx. 180sqm. At the time of inspection 02 Milk Cows and 02 She-Calves were kept in the premises. Fine screen found installed at the discharge point. A dung stick making machine is also installed. The owners are making medicated dung stick using mango wood dust, tulsi, lohband & guggul and distributing it to free of cost. Front/outer area of plot was found clean. Jagrati Vihar is approx. 40-45 years old residential colony developed by U.P. Awas & Vikas Parishad.

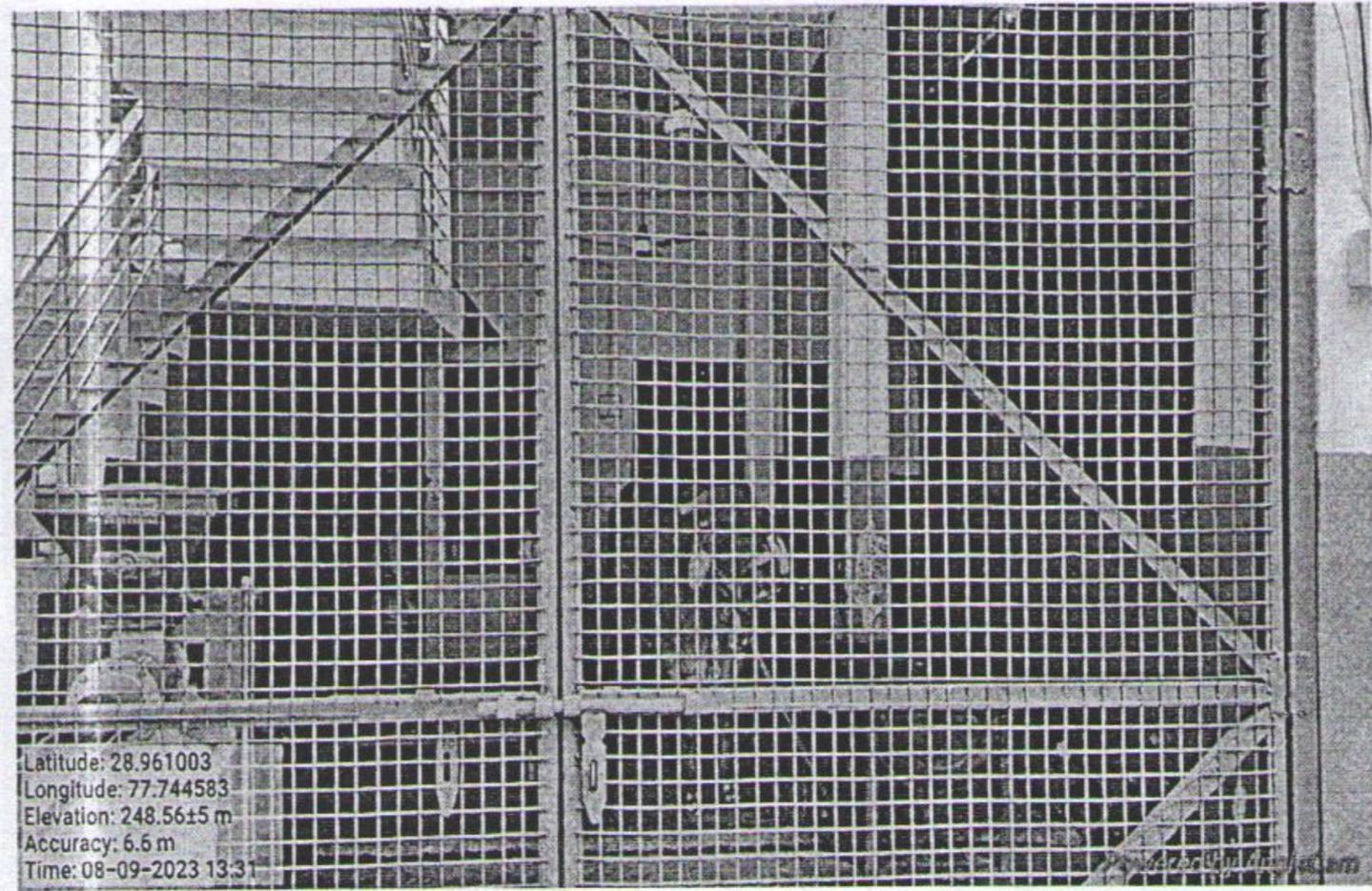
During inspection adjacent resident/complainant Mr. Surender Singh told that due to cow husbandry they are suffering from bad smell. Officials of the Municipal Corporation, Meerut informed that Milk cow could be kept for individual purpose it is provisioned that individual should obtain required license from Municipal Corporation after obtaining the required license from Municipal Corporation. However it is also informed that presently licences for cattle are not being issued by Municipal Corporation. However Municipal Corporation Meerut has imposed a fine of Rs. 20,000/- with the direction to close the dairy immediately otherwise fine of Rs.

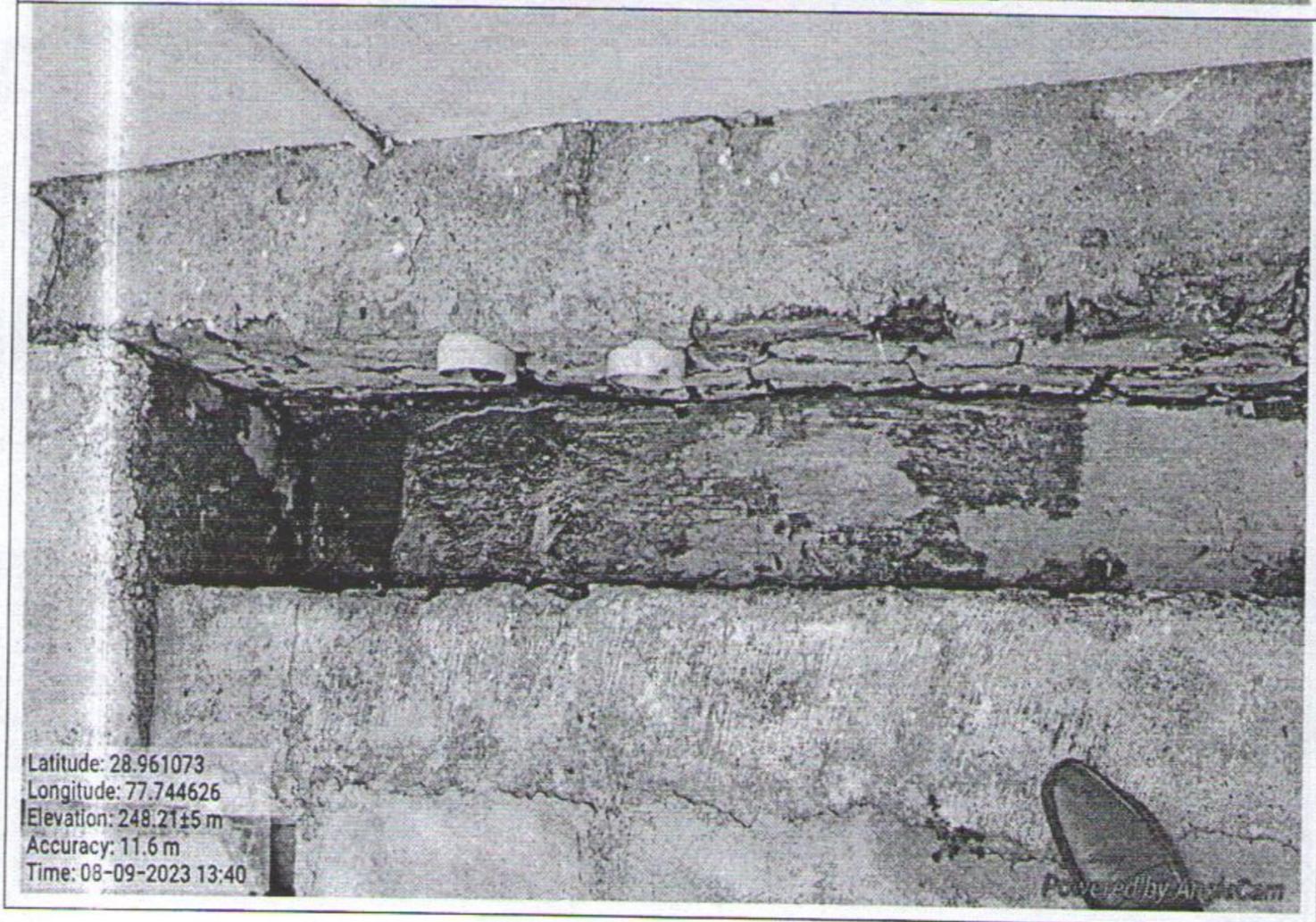
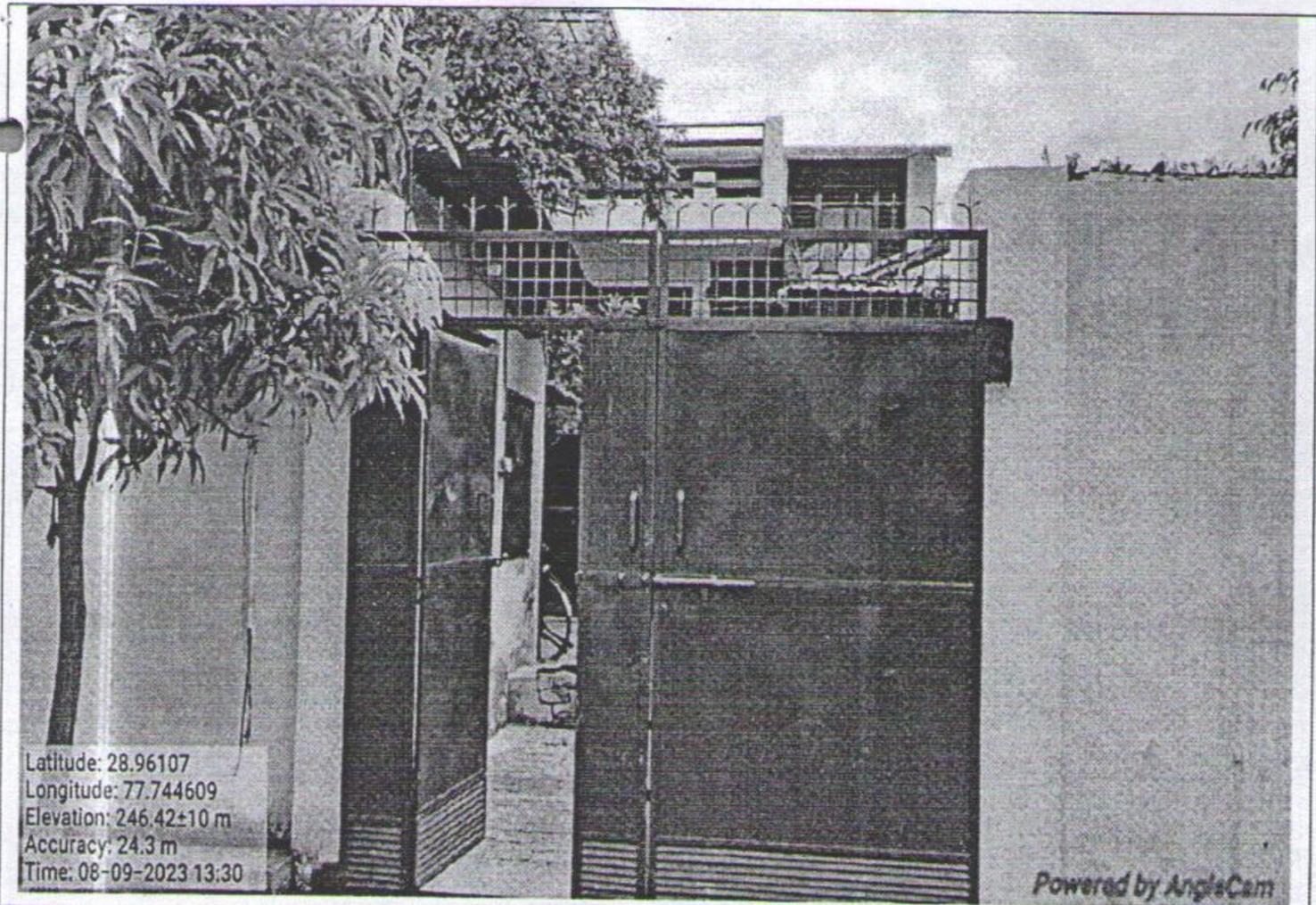
20,000/- per day would be imposed against the dairy owner. The notice is annexed as Annexure-1 notice vide dated 25.08.2023 against Shri Rakesh Sharma resident of 476/5, Jagriti Vihar, Meerut in compliance of order dated 22.09.2015 passed by Hon'ble National Green Tribunal in O.A. No. 138/2015 Krishnapal versus Union of India and Ors.

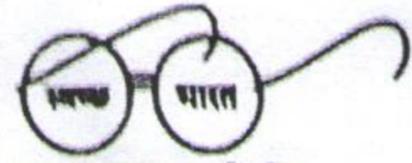
Copy of photographs taken during inspection are attached.

Joint report in the compliance of order passed by Hon'ble National Green Tribunal in the matter is for kind consideration.

Amit Kumar Singh, Additional District Magistrate, Administration District – Meerut	
Dr. Harpal Singh, Veterinary Office/Nagar Swasthya Adhikari Municipal Corporation, Meerut	
Yogesh Kumar Mishra, Assistant Environment Engineer U.P. Pollution Control Board, Meerut	







एक कदम स्वच्छता की ओर

कार्यालय नगर निगम, मेरठ

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नोटिस

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नाम.....

पता.....

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विषय: मा० राष्ट्रीय हरित न्यायाधिकरण द्वारा ओ०ए० संख्या-138/205 कृष्णपाल बनाम यूनियन ऑफ इण्डिया व अन्य में पारित आदेश दिनांक 22-09-2015 का अनुपालन न किये जाने के सम्बन्ध में।

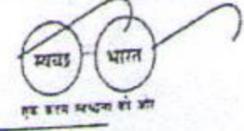
दिनांक 25/8/2023 को पूर्वाहन/अपराहन 9:00 बजे क्षेत्र के दौरान नगर निगम सीमान्तगत 45/1 (स्थल का नाम) पर आप द्वारा अवैध रूप से भैंसों/गायों की डेयरी संचालित की जा रही है, जिससे अत्यधिक गन्दगी एवं प्रदूषण व्याप्त हो रहा है तथा डेरियों से निकलने वाले गोबर को भी नाले/नालियों में डालकर नाले/नाली का प्रवाह बाधित किया जा रहा है एवं गन्दगी, दुर्गन्धिक पदार्थ बहाते हुए अपदूषण किया जा रहा है। जिसके कारण मा० राष्ट्रीय हरित न्यायाधिकरण द्वारा ओ०ए० संख्या 138/2015 कृष्णपाल बनाम यूनियन ऑफ इण्डिया व अन्य में पारित आदेश दिनांक 22-09-2015 के अनुपालन में आप पर रुपये 20,000.00 का अर्थदण्ड आरोपित किया जाता है तथा आपको निर्देशित किया जाता है कि उपरोक्त धनराशि निगम कोष में एक सप्ताह के अन्दर जमा कराना सुनिश्चित करें, अन्यथा उक्त धनराशि की वसूली भू-राजस्व के बकाया की भाँति की जायेगी।

यह भी निर्देशित किया जाता है कि आप प्रश्नगत स्थल पर डेयरी का संचालन तत्काल प्रभाव से बंद कर दें, अन्यथा रुपये 20,000.00 प्रतिदिन के हिसाब से अर्थदण्ड आरोपित किया जायेगा तथा संगत आपराधिक धाराओं में नियमानुसार कार्यवाही भी की जायेगी।

नगर स्वास्थ्य अधिकारी/
सफाई एवं खाद्य निरीक्षक,
नगर निगम, मेरठ।



कार्यालय नगर निगम, मेरठ



पत्रांक- 845 /प्र0न0स्वा0अधि0-न0नि0मे0/2023

दिनांक-27/10/23

श्री अजयशील

सफाई एवं खाद्य निरीक्षक

मा0 राष्ट्रीय हरित न्यायाधिकरण द्वारा ओ0ए0 संख्या-138/205 कृष्णपाल बनाम यूनियन ऑफ इण्डिया व अन्य में पारित आदेश दिनांक 22.09.2015 का अनुपालन न किये जाने के सम्बन्ध में आपके द्वारा दिनांक 29.08.2023 को श्री राकेश शर्मा निवासी 476/5 जाग्रति विहार मेरठ को एक पत्र जारी किया गया था।

अतः आप को पुनः आदेशित किया जाता है कि माननीय राष्ट्रीय हरित न्यायाधिकरण के आदेशों का अनुपालन सुनिश्चित कराने के लिए श्री राकेश शर्मा निवासी 476/5 जाग्रति विहार मेरठ के विरुद्ध विधिक कार्यवाही करना सुनिश्चित करें।

[Signature]
27/10/2023
प्रभारी नगर स्वास्थ्य अधिकारी
नगर निगम मेरठ।

प्रतिलिपि:-

1. नगर आयुक्त महोदय की सेवा में सादर अवलोकनार्थ प्रेषित।
2. क्षेत्रीय अधिकारी उ0 प्र0 प्रदूषण नियन्त्रण बोर्ड जनपद मेरठ।

प्रभारी नगर स्वास्थ्य अधिकारी
नगर निगम मेरठ।