

Joint Committee Factual and Action Taken Report
On
Proposed Gaushala at Sadera village, District- Vidisha,
(M.P.)

In the matter of
Original Application No.29/2021 (CZ)
Siyaram Yadav Vs State of M.P. & Ors

w.r.t.

Hon'ble National Green Tribunal Bench Bhopal
Order Dated 02.06.2021



Date of Visit: 03.08.2021

Location Sadera, Vidisha M.P.)

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Factual and Action Taken Report On Proposed Gaushala at

Sadera village, District -Vidisha, (M.P.)

OA No. 29/2021 vide order dated 02.06.2021

Siyaram Yadav Vs State of M.P. & Ors

The Hon'ble NGT (CZ) OA No. 29/2021 vide order dated 02.06.2021 in the case titled as Siyaram Yadav Vs State of M.P. and Ors has constituted the Joint Committee as per para 8 of the order

“8. We deem it just and proper to call a report on the matter in issue in present application, from a Joint Committee consisting of:-

- i. Collector, District Vidisha, (M.P.)*
- ii. Central Pollution Control Board (M.P.)*
- iii. State Pollution Control Board(M.P.)*

As per para 9 of the order the terms of reference is given as:-

“9. The Committee is directed to visit the place and submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support.”

As per the order all the three departments nominated the officers for the compliance of the order. The following committee members visited the place site:-

1. Dr. O.P. Gour (Deputes Director), Veterinary Services M.P. Government Vidisha, Representative of Collector Vidisha (M.P.) .
2. Dr.Yogendra Kumar Saxena (Scientist C),Central Pollution Control Board (M.P.).
3. Shri. A.K. Bisen, Executive Enginner, M.P. Pollution Control Board, Bhopal (M.P.).

The issue in this original application is violation of the “Guidelines for Environmental Management of Dairy Farms and Gaushalas” issued by the Central Pollution Control Board in July, 2020 at Khasra No. 83 & 84 of village Sadera of Tehsil Kurvai at District-Vidisha, Madhya Pradesh the following points:-

- i. The Gaushala is located near the notified abadi kshetra and can be a troublesome affair for the residents living in the village.
- ii. River Naren, which is one of the major source of portable water for the residents of the village Sadera is located at a distance of less than 200 mtrs. from the area where the Gaushala is proposed.
- iii. That the area in question is a flood prone area and during monsoon period this area is mostly submerged in water as a result of which there is danger to the lives of cows.
- iv. Government Primary School located adjacent to the area where the Gaushala is proposed.
- v. Violation of the Guidelines for Environmental Management of Dairy Farms and Gaushalas issued by CPCB in July, 2020.

(A) Status of Compliance of Guidelines for Environmental Management of Dairy Farm and Gaushala (July- 2020) is as follows:-

To verify the factual status the Joint Committee, consisting of Dr.Yogendra Kumar Saxena (Scientist C), Central Pollution Control Board, Shri. A.K. Bisen, Executive Enginner, M.P. Pollution Control Board, Bhopal and Dr. O.P. Gour (Deputes Director), Veterinary Services M.P. Government Vidisha has visited the proposed Gaushala at Sadera village district-Vidisha in the presence of Applicants Shri Siyaram yadav, Shri Rajpal Yadav and Shri Dushyant Yadav S/o Late Shri Lalaram Yadav along with villagers of Sadera on 03.08.2021 . The team visit the proposed Gaushala, Naren river, primary school at Sadera, village Sadera . Status

of Compliance of Guidelines for Environmental Management of Dairy Farm and Gaushala (July- 2020) is as follows:-

Visited on 03.08.2021

Table No- 01

Status of Compliance of CPCB Guidelines for Environmental Management of Dairy Farm and Gaushala-(July- 2020)

S.No.	CPCB Guidelines for Environmental Management of Dairy Farms and Gaushalas (July-2020)	Details
1.	Name /address of Gaushala	Khasra No. 83 and 84 Village Sadera Tehsil Kurwai District -Vidisha (M.P.)
2.	Contact person (Name, Designation, and Contact No, FAX, e-mail)	1. Shri Dushyant Yadav (S/o late Shri Lalaram Yadav) Mobile No.-7000754929 2. Shri Siyaram Yadav Mobile no. 9575571168 3. Shri Rajpal Yadav Mobile No.-9754286892
3.	Status of Registration with Local Bodies/Corporations	Gaushala not Established.
Siting Policy		
4.	Minimum Distance from Following Features	Details
	➤ Village boundaries (200 meters)	Village Sadera Distance is about 249.33 meter
	➤ Hospital (500 meters)	There is no Hospital

	➤ School (500 meters)	Govt. Primary School Distance is about 194.72 meters
	➤ National Highway (200 meters)	No national highway
	➤ State Highway (100 meters)	About 6740 meters (about 6.74 K.M)
	Major Drinking Water Reservoir on Catchment side (500 meters)	No Reservoir
	Drinking water source like wells, summer storage tanks, other tanks (Drinking Water) (100 meters)	No any
	Major water courses like River/Lake (500 meters)	Naren River distance is about 77.72 meters
	Canal (200 meters)	No any
	Dairy Farm/Gaushala : Inter-se distance between two establishments should be at least 5 meters for ventilation. Each unit should provide at least 2.5 meters from each side and develop the green belt	There is no other Gaushala near the proposed Gaushala.
5.	Is Dairy farm/Gaushala located in flood plain area? (Dairy farm and Gaushalas should not be located in flood prone area, subject to flooding at 1-in-25-year or more frequent levels in order to avoid contamination of water bodies.)	As per information received from villagers of Sadera the proposed Gaushala area is subjected to flood plain area in monsoon period.

<p>6. Is Dairy farm / Gaushala located in shallow groundwater depth area? (Dairy farms and gaushalas should not be located in areas with shallow groundwater depth of about 10 to 12 feet and particular in alluvium areas in order to avoid groundwater contamination.)</p>	<p>As per information received from villagers of Sadera, Groundwater Depth is about 80-100 feet.</p>
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During visit it is informed that the Sarpanch shri Lalaram yadav has no more, the death Certificate is enclosed **Annexure-02**. There is no any construction work were occurring during the observation and no any Gaushala established. Geographical coordinates, photographs (**Annexure-01**), physical measurement and other relevant information were also collected. Based on inspection conducted by Joint Committee Point wise reply of issued raised are as under:-

1. The distance between proposed Gaushala and abadi kshetra village Sadera is about 249.33 meter. Google map enclosed **Annexure-3**.

Where as *the CPCB Guidelines of July-2020, the minimum distance from Village boundaries should be 200 meters away from residential dwellings.*

2. The River Naren, nearby village at a distance of 77.72 meter from proposed Gaushala village Sadera. Water of River Naren mainly used by villager of Sadera for daily use as well as for irrigation purpose. Google map enclosed **Annexure-3**.

Where as the CPCB Guidelines of July-2020, the minimum distance from the River should be 500 meters.

3. On discussion with the villagers of village Sadera it is informed that every year surrounding area of proposed Gaushala is flooded with flood water during heavy Rain. Panchnama prepared in this respect is enclosed as per **Annexure-4**.

Where as the CPCB Guidelines of July-2020, gaushalas should not be located in flood prone areas.

4. It is to be noted that Government Primary School at Sadera village is about 194.72 meter away from proposed Gaushala. Google map enclosed **Annexure-3**.

Where as the CPCB Guidelines of July-2020, the minimum distance from the School should be 500 meters.

5. The Gaushala is not established, it was proposed by Late shri Lalaram Yadav Sarpanch Village Sadera. Google map showing location of Gaushala along with it's distance from residencial area of village Sadera, Primary School Sadera and nearby River Naren in enclosed Google map **Annexure-3**. Since Gaushala is proposed at present troublesome affair from this Gaushala does not arise.

6. CPCB has also issued Revised Guideline in July-2021 for Management of Dairy Farm & Gaushala. Siting policy mentioned in point no. 6.4 of guideline issued by CPCB in July-2021 is as per **Annexure-6**.

7. Following Table No-02 showing the distance from proposed Gaushala (July-2020 and Revised Guideline in July-2021):-

Table No- 02 Showing the Distance from Proposed Gaushala as per CPCB Guidelines for Environmental Management of Dairy Farms and Gaushalas, (July-2020 and Revised Guideline in July-2021)					
S. No	From	To	Actual Distance	CPCB Guidelines for Environmental Management of Dairy Farms and Gaushalas (Minimum distance from following features)	
				July 2020	Revised Guideline in July 2021
1	Proposed Gaushala	Naren river	About 77.72 meters (Flood plain area in monsoon period.)	500 meters	Should be away from flood plain area of river
2	Proposed Gaushala	Govt. Primary School Sadera	About 194.72 meters	500 meters	100 meter
3	Proposed Gaushala	Village Sadera	About 249.33 meters	200 meters	100 meter

(B) Action Taken Report

According to the guideline of CPCB July 2020 and new guideline July 2021 the following observations made by the committee is that:-

1. The proposed Gaushala was not established till the date of inspection.
2. The distance between proposed Gaushala and village is about 249.33 meter.
3. The distance between proposed Gaushala and Naren River is about 77.72 meter.

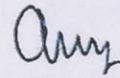
4. The Proposed Gaushala is located in Flood plain area in monsoon period.
5. The distance between proposed Gaushala and Govt. primary School is about 194.72 meter.
6. Siting policy mentioned in point no. 4 of guideline issued by CPCB in July-2020 for Management of Dairy Farm & Gaushala in enclosed Annexure-5. It is true that proposed location of Gaushala village Sadera is not as per guideline issued by CPCB in July 2020 for Management of Dairy Farm & Gaushala. Since proposed Gaushala is at a distance of 194.72 meter from Government Primary School, River Naren is flowing at a distance of 77.72 meter from Gaushala and also site selected is in flood plain area.
7. CPCB has also issued Revised Guideline in July-2021 for Management of Dairy Farm & Gaushala. Siting policy mentioned in point no. 6.4 of guideline issued by CPCB in July 2021 is as per Annexure-6. It is concluded that proposed Gaushala is also not complying with siting criteria since site selected for Gaushala is in flood plain area and also near Naren River.
8. So it is recommended that, Director Animal Husbandry & Dairying Bhopal and CEO Jilapanchayat Vidisha to be informed with above facts and shall be asked to ban establishment of said Gaushala at village Sadera. Should be away from flood plain area of Naren River and follow CPCB Revised "Guidelines for Environmental Management of Dairy Farms and Gaushalas" July-2021 and Gaushala shall be setup as per siting policy/guidelines of local administration.



A.K. Bisen
Executive Engineer,
M.P. Pollution Control Board,
Bhopal (M.P.)



Dr. Yogendra Kumar Saxena
(Scientist C)
Central Pollution Control
Board, R.D., Bhopal (M.P.)



Dr. O.P. Gour
(Deputy Director),
Veterinary Services,
Vidisha, (M.P.)

Photographs of During Inspection



Team visiting Gaushala at Sadera



Team visiting Gaushala at Sadera



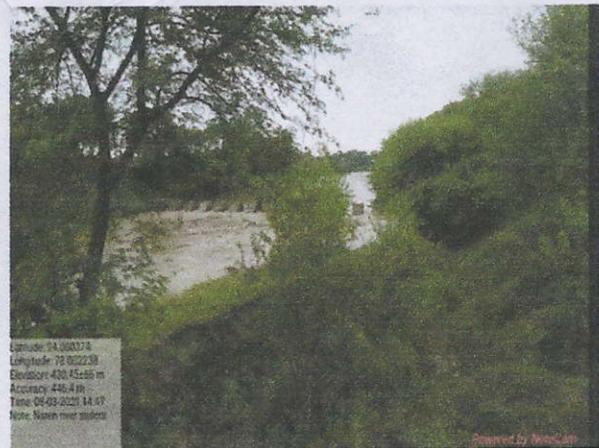
Primary school Sadera



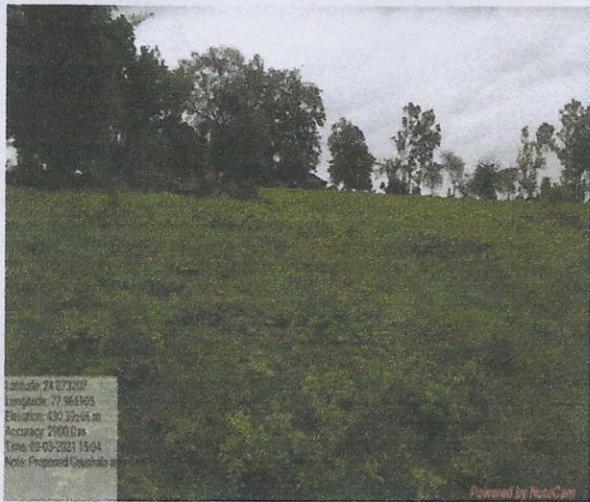
Inspecting Gaushala field



Field proposed for Gaushala



Naren River



Field proposed for Gaushala



Field proposed for Gaushala



Naren River



Sadera Village



Visiting Sadara village



Meeting with villagers



GOVERNMENT OF MADHYA PRADESH
DEPARTMENT OF PLANNING, ECONOMICS & STATISTICS
MUNICIPAL CORPORATION BHOPAL



मृत्यु प्रमाण-पत्र
DEATH CERTIFICATE

ISSUED UNDER SECTION 12(1) OF THE REGISTRATION OF BIRTHS & DEATHS ACT, 1969 AND RULE 6(1) OF THE MADHYA PRADESH REGISTRATION OF BIRTHS & DEATHS RULES 1994

THIS IS TO CERTIFY THAT THE FOLLOWING INFORMATION HAS BEEN TAKEN FROM THE ORIGINAL RECORD OF DEATH WHICH IS THE REGISTER FOR MUNICIPAL CORPORATION BHOPAL OF TAHSIL/BLOCK KUZUR OF DISTRICT BHOPAL OF STATE/UNION TERRITORY MADHYA PRADESH, INDIA

मृत्यु का नाम / NAME OF DECEASED / लालराम / LALARAM

लिंग / SEX / पुरुष / MALE

मृत्यु का तिथि / DATE OF DEATH
05-05-2021
FIFTH MAY TWO THOUSAND TWENTY ONE

मृत्यु का स्थान / PLACE OF DEATH
---/HOSPITAL

पति / पत्नी का नाम / NAME OF HUSBAND / WIFE

मृत्यु की उम्र / AGE OF DECEASED
43 YEARS

पति का आईडी / HUSBAND/WIFE AADHAAR NO.

माता का नाम / NAME OF MOTHER
सुमती बाई / SUMATI BAI

पिता का नाम / NAME OF FATHER
हरलाल / HARLAL

माता का आईडी / MOTHER'S AADHAAR NO.

पिता का आईडी / FATHER'S AADHAAR NO.

मृत्यु के समय मृतक का पता / ADDRESS OF THE DECEASED AT THE TIME OF DEATH
GRAM SADERA POST, ROSHAN PIPRIYA, KURWAJ (NP), KURWAJ, VIDISHA, MADHYA PRADESH
ग्राम सादरा पोस्ट, रोशन पिपरीया, कुर्वाज (नप), कुर्वाज, विदिशा, मध्य प्रदेश

स्थायी पता / PERMANENT ADDRESS OF DECEASED
ग्राम सादरा पोस्ट, रोशन पिपरीया, कुर्वाज, कुर्वाज, विदिशा, मध्य प्रदेश

पंजीकरण संख्या / REGISTRATION NO.
D-2021-23-00235-031567

पंजीकरण तिथि / DATE OF REGISTRATION
02-06-2021

टिप्पणी / REMARKS IF ANY

[Signature]

जारी करने वाले अधिकारी / ISSUING AUTHORITY

Registrar (Birth & Death)
Municipal Corporation, Bhopal
MUNICIPAL CORPORATION BHOPAL

जारी करने की तिथि / DATE OF ISSUE
02-06-2021

UPDATED ON
02-06-2021 11:16:54



THIS IS A COMPUTER GENERATED CERTIFICATE WHICH CONTAINS FAISABLE SIGNATURE OF THE ISSUING AUTHORITY
THE DEPT. OF INRA AND CIRCULAR NO. 113/2011/2014 DATED 27 JULY 2014 HAS
APPROVED THIS CERTIFICATE AS A VALID LEGAL DOCUMENT FOR ALL OFFICIAL PURPOSES
FOR THE PURPOSES OF THE REGISTRATION OF BIRTHS AND DEATHS

3765/1-6-21



Google Maps Showing the Distance Among Village Sadera, Naren River and Primary School Sadera



आज दिनांक को ग्राम सड़रा ग्राम पंचायत शेरान विपरिया
 2. विकासखण्ड गुरवाई जिला विदिशा में NPA प्रकरण सं. 29/2021
 में पारित आदेश 2/8/2021 के पालनार्थ स्थल निरीक्षण संयुक्त
 समिति जिसमें CPCB के श्री वाय.के. सक्सेना (केंशाफिक-1), डिप्टी सप्लायर
 पशुपालन श्री ओ.पी. गौर एवं म.उ. प्रदूषण नियंत्रण बोर्ड भोपाल के
 कार्यपालक डेप्टी श्री ए.के. खिलेन निरीक्षण के समय - श्री प्रियाशक्त यादव
 (शिकायतकर्ता), श्री राजपाल यादव (शिकायतकर्ता), उपस्थित रहे। ग्राम पंचायत
 शेरान विपरिया ग्राम सड़रा के अध्यक्ष स्व. लालशक्त यादव के पुत्र श्री सुर्य-
 प्रसाद यादव उम्र-27 वर्ष एवं पुत्र श्री लालशक्त उचस्थित रहे।
 निरीक्षण के समय यह तथ्य उजागर में आया कि प्रस्तावित गॉशाला
 नरेन वही से लगभग 255 FT दूर बहती है। यह भी जात हुआ
 कि प्रतिवर्ष गॉशाला (प्रस्तावित) के अस्सपाक का क्षेत्र डूब के आता है।

राजा सिंह यादव ग्राम सड़रा
 भिकार यादव गठ धरे
 रजनीश सिंह ग्राम सड़रा
 शैलेंद्र यादव ग्राम सड़रा
 सूर्यप्रकाश यादव सड़रा
 सिधार्थ यादव लंडा
 राजपाल यादव सड़रा

राजा सिंह
 भिकार यादव
 रजनीश सिंह
 शैलेंद्र कुमार
 [Signature]
 राजपाल यादव

A.K. Singh
 E.E. M.P.C.B.
 Mr. Yogendra Kumar Sharma
 CPCB, R.D. Bhopal

[Signature]
 DR. O.P. GOUR
 D.D.Vet, Vidisha

“Guidelines for Environmental Management of Dairy Farms and Gaushalas”



Central Pollution Control Board
(Ministry of Environment, Forest and Climate Change, Govt. of India)
Parivesh Bhawan, East Arjun Nagar
Delhi-110032

(July 2020)

4. Siting Policy:

The siting criteria will be applicable for new establishment, however, the existing establishments should take appropriate pollution control measures as per the guidelines. The siting policy for dairy farms and gaushalas are as follow:

- i. Dairy farms and gaushalas should be located outside city/village boundaries, atleast 200 meters away from residential dwellings and 500 meters away from hospitals & schools.
- ii. Dairy farms and gaushalas should not be located in flood prone areas, subject to flooding at 1-in-25-year or more frequent levels in order to avoid contamination of water bodies.
- iii. Dairy farms and gaushalas should not be located in areas with shallow groundwater depth of about 10 to 12 feet and in particular in alluvium areas in order to avoid groundwater contamination.
- iv. Dairy farms and gaushalas may be allowed to follow minimum distance criteria given below which may be subject to vary with the local conditions:
 - a. National and State Highways: 200 meters from National Highway and 100 meters from State Highway in order to avoid odour nuisance and road accident caused due to cattle.
 - b. Major drinking water reservoir on catchment side: 500 meters in order to avoid water contamination due to leakages/spillages from the dairy farms and gaushalas.
 - c. Drinking water source like wells, summer storage tanks, other tanks (drinking water): 100 meters in order to avoid water contamination.
 - d. Major watercourses like River and Lake: 500 meters in order to avoid water contamination.
 - e. Canals: 200 meters in order to avoid water contamination.
 - f. Inter-se distance between two establishments should be atleast 5 meters for ventilation. Each unit should provide atleast 2.5 meters from each side and develop the green belt.

5. Regulatory/ Monitoring Mechanism:

- i. The local authorities/corporations should carry out inventory of the dairy farms and gaushalas located in their jurisdiction in the modified inventory performa given at **Annexure-A**. The same should be updated and shared with the concerned SPCB/PCC on annual basis (calendar year wise).
- ii. The local bodies/municipal corporations shall publish a public notice in newspapers and on their website for registration of dairy farms and gaushalas as per municipal law. The registration may be done preferably through online mode and same may be displayed at their websites.
- iii. The SPCBs/PCCs shall publish a public notice for dairy farms and gaushalas to obtain consent to establish and consent to operate under Water Act, 1974 as well as Air Act, 1981 as per the categorization of industries. CPCB issued directions on 10.07.2020 under Section 18(1)(b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 regarding classification of Dairy Farms and Gaushalas into Orange and Green Category, respectively.
- iv. The SPCBs/PCCs/local bodies/municipal corporations shall upload the environmental guidelines and **Form-A** for compliance status of environmental guidelines on their website and also circulate to all the dairy farms and gaushalas. The compiled status of

“Guidelines for Environmental Management of Dairy Farms and Gaushalas”



Central Pollution Control Board
(Ministry of Environment, Forest and Climate Change, Govt. of India)
Parivesh Bhawan, East Arjun Nagar
Delhi-110032

Revised
(July 2021)

6.3 Air Quality Management

Guidelines for management of air quality/emissions are as follow:

- i. Animal housing should be ventilated allowing sufficient supply of fresh air to remove humidity, dissipate heat and prevent build-up of gases.
- ii. Good housekeeping practices like maintaining proper sanitary conditions, protecting dung from unwanted pests/insects should be followed in order to minimize odour nuisance.
- iii. Floor, feeding, water and air spaces available for each animal should be adequate for standing, resting, loafing, movement, feeding, watering and ventilation. Space requirements should be provided as per Bureau of Indian Standards (BIS) (refer BIS: 11942-1986 given at **Annexure-III**).
- iv. It is suggested to obtain Ration advisory for improving/modifying quality and dosage of feed/forage/supplements from any of agricultural institutes/departments like Krishi Vigyan Kendra, State Dairy Department, Animal Husbandry Department, NDRI, NDDDB, etc. to reduce enteric methane generations from livestock.
- v. Plantation of trees or green belts, wherever feasible, to provide a barrier against spread of foul smell or noise originating from them.

6.4 Siting Policy

Siting criteria will be applicable for new establishment. Existing establishments should take appropriate environmental friendly practices as per Guidelines. Gaushala shall be setup as per siting policy/guidelines of local administration.

These should be located atleast 100 meters away from residential dwellings/schools/hospitals in order to avoid odour issue and away from the water spread area of major drinking water sources. These should be away from flood plain areas of River and areas having shallow groundwater. Atleast 5 meters of inter-se distance between two establishments for ventilation, this space of 5 meters (atleast 2.5 meters from each side from each unit) shall be developed for green belt.

7. Regulatory/ Monitoring Mechanism for Dairy Farms & Gaushalas

- i. Local authorities/corporations should carry out inventory of Dairy farms and Gaushalas located in their jurisdiction in inventory performa given at **Annexure-IV** and same should be updated & shared with concerned SPCB/PCC on annual basis (calendar year wise).
- ii. Local bodies/municipal corporations shall publish a public notice in newspapers and on their website for registration of Dairy farms and Gaushalas as per municipal laws. Registration may be done preferably through online mode and same may be displayed at their websites.
- iii. SPCBs/PCCs shall publish a public notice for Dairy farms & Gaushalas to obtain consent to establish and consent to operate under Water Act, 1974 as well as Air Act, 1981 as per the categorization of industries in Orange and Green Category, respectively.
- iv. SPCBs/PCCs/local bodies/municipal corporations shall upload Environmental Guidelines on their website and also circulate to all Dairy farms and Gaushalas.