

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

Original Application No. 499/2025

In the matter of:

Reema

...Applicant

Versus

Delhi Pollution Control Committee & Ors.

...Respondents

NDOH: - 23.07.2026

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Filed by

Place: Delhi
Dated: 14th July, 2026

Delhi Pollution Control Committee

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
Original Application No. 499/2025**

In the matter of:

Reema

...Applicant

Versus

Delhi Pollution Control Committee & Ors.

...Respondents

**STATUS REPORT ON BEHALF OF DELHI POLLUTION
CONTROL COMMITTEE IN COMPLAINE WITH THIS
HON'BLE TRIBUNAL'S ORDER DATED 09.10.2025.**

I, Satender Kumar, Sr. Environmental Engineer, Delhi Pollution Control Committee, 3rd Floor, Block-I, IT Park, Shastri Park, Delhi- 110053, do hereby solemnly affirm and state as under:

1. That, I am working as Sr. Environmental Engineer, Delhi Pollution Control Committee and am conversant with the facts of the present case on the basis of record maintained by Delhi Pollution Control Committee in its ordinary course.

2. That, the above-captioned OA was taken up by this Hon'ble Tribunal on 05.02.2026 and pleased to issue notice to the answering respondent.



Satender Kumar

(2)

3. That the applicant in the present matter raised grievance against the health issues created by pigeons dropping. As per applicant, dropping of the pigeons causes infectious disease mainly breathing issues, skin rashes and also emits four smell and toxic gases.
4. That on similar issue following two petitions are listed before the Hon`ble High Court of Delhi:
 - (a) WP(C) 3024/2026 titled as "Darpan Sachdeva Vs MCD and others": now listed for 05.08.2026.
 - (b) WP(C) 1771/2025 titled as "Aakash Neval vs GNCTD and others": now listed for 24.07.2026.
5. That the Hon`ble Bombay High Court in WP (L) NO. 21199 OF 2025 titled as, "Pallavi Sachin Patil Versus Municipal Corporation of Greater Mumbai & Ors vide order dated 30.07.2025 pleased to pass following directions:

15. We accordingly permit the Designated officer of the Municipal Corporation to lodge prosecutions under the provisions of Section 270, 271 and 272 of the BNSS against any person/s who continues to feed pigeons in defiance of the directives issued by the MCGM, since such acts would in our unhesitating view constitute a public nuisance and likely to spread diseases and endanger humand life. Such acts undoubtely expose the public at large and 1 Public Nuisance 2 Negligent act likely to spread infection of disease dangerous to life 3 Malignant act likely to spread infection of disease dangerous to life. particularly those who dwell or occupy property in the vicinity, to an eminent danger from the spread of infections / diseases dangerous to human life, in addition to causing a large-scale public nuisance. We thus issue the following directions:



- i) The Municipal Corporation shall take all the necessary steps and implement strict measures as they may deem appropriate to stop the congregation of pigeons at the various Kabutarkhanas across the city.
- ii) The Municipal Corporation shall also install sophisticated CCTV cameras wherever required in addition to deputing beat marshals/officers of the Municipal Corporation at all the sites where pigeon feeding continues to take place.
- iii) The beat marshals/officers shall also ensure that people living in the vicinity do not throw grains/bird seed from their respective houses or properties.
- iv) We also direct that appropriate police personnel are deployed to ensure that pigeon feeding is not carried out in defiance of the directives issued by the MCGM. In addition to ensuring that law and order is maintained and the beat marshals/officers of the Corporation are not prevented from carrying out their duties.
- v) We permit the Designated Municipal Officer to lodge appropriate criminal complaints alongwith all the appropriate photographs or videographs with the officer incharge of the Dadar Police Station or the other Police Stations in respect of the other Kabutarkhanas as observed by us.
- vi) We also permit the Municipal Corporation to cordon off Meera Jadhav 10/10 905-906-wpl-21199-25&anr.doc and cover the Kabutarkhanas with an appropriate material to ensure that there is no congregation of the pigeons at one place.



[Signature]

vii) *We also direct the Municipal machinery to maintain hygiene and cleanliness at this Kabutarkhanas so that there is no nuisance to the public at large.*

16. *Let the compliance of the above be informed to the Court on the adjourned date of hearing.*

Copy of the Hon`ble Bombay High Court order dated 30.07.2025 is enclosed herewith as **ANNEXURE-1**.

6. The order dated 30.07.2025 was challenged before the Hon`ble Supreme Court in Special Leave to Appeal (C) No(s).22103-22104/2025 titled as, "PALLAVI SACHIN PATIL & ANR. VERSUS MUNICIPAL CORPORATION OF GREATER MUMBAI & ORS." The Hon`ble Supreme Court heard the matter on 11.08.2025 and pleased to ordered:

3. *Therefore, we are not inclined to entertain the present special leave petition. Accordingly, the special leave petition are dismissed. However, the dismissal of the special leave petitions would not debar the petitioners to move an application for modification of the order, if any.*

4. *Pending applications including application(s) for intervention, if any, shall stand disposed of.*

Copy of the the Hon`ble Supreme Court order dated 11.08.2025 is enclosed herewith as **ANNEXURE-2**.

7. The allegations regarding health hazards caused by pigeon droppings are general in nature and not supported by any scientific study specific to the alleged locations. DPCC deals with pollution control issues and not regulation of feeding of birds or management of stray animals/birds at public places.

8. It is well settled that a person cannot use his premises for causing nuisance to his neighbours or other residents {Darshan Ram's



[Signature]

case}. In the said case, the learned Judge referred to the famous English case of John Rylands and Jehu Horrocks Vs. Thomas Fletcher (1868) LR H 330, wherein it was held that the person who, for his own purpose, brings on his land and collects and keeps there anything likely to do mischief if it escapes, must keep it in at his peril, and if he does not do so, is prima facie answerable for all the damage which is the natural consequence of its escape.

9. It is further submitted that similar issues relating to feeding of pigeons, public health concerns arising from pigeon droppings, and regulatory measures in public spaces are the subject matter of proceedings before the Hon'ble High Court of Delhi.
10. The prayer made in the Original Application, including directions to ban feeding of pigeons, removal of pigeon droppings, sanitization of areas, and installation of bird repellent mechanisms, clearly fall outside the statutory powers and functions of DPCC. DPCC has no statutory mandate to regulate feeding of birds or removal of pigeons from public places.
11. It is therefore requested to this Hon'ble Tribunal that the present status taken report may kindly be taken on record.



ATTESTED
NOTARY PUBLIC
GOVT. OF NCT OF DELHI


DEPONENT

14 JUL 2020

VERIFICATION

I, the above-named deponent, declare the contents of the present status report are true and correct to the best of my knowledge based upon the documents and records available in the office and nothing material has been concealed therefrom.

Verified at New Delhi on this 14 day of July, 2026.

**DEPONENT**

ATTESTED

NOTARY PUBLIC
GOVT. OF NCT OF DELHI



14 JUL 2026

Gunvantrai Maganlal Shah vs State Of Maharashtra, Through The ... on 30 July, 2025

Author: G.S. Kulkarni

Bench: G.S. Kulkarni

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905-906-wpl-21199-25&anr.doc

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

(905) WRIT PETITION (L) NO. 21199 OF 2025

Pallavi Sachin Patil

...Petitioner

Versus

Municipal Corporation of Greater

Mumbai, Through Its Commissioner & Ors

...Respondents

AND

(906) WRIT PETITION (L) NO. 21694 OF 2025

Gunvatrai Maganlal Shah

...Petitioner

Versus

State of Maharashtra & Ors

...Respondents

Mr. Harish Pandya a/w Malhar Zatakia Mr. Rohit Agarwal i/b Mr. Dhruv Jain
for Petitioner in WPL/21199/2024.

Mr. Praful Shah a/w Mr. Yakshay Chheda i/b SSB Legal & Advisory for
Petitioner in WPL/21694/2025

Mr. Sahil Sayyed, Mr. Anand Pai (Party in Person) Advocate for Respondent
No. 9, Intervenors.

Ms. Rupali Adhate a/w Ms. Pushpa Yadav i/b Ms. Komal Punjabi for BMC.

Mr. Dhairyasheel Pawar, AE Maintainance and G/N Ward, Mr. D. Pawar, Asst.
Eng., Maintainance Dept. G/N, Mr. Vitthal Jadhav, Sr. Architect (Heritage)

D.P. Dept. Mr. Radheshyam Jaiswal, S. E. , SWM 'A' Ward present in court.

Mr. Manish Upadhye, AGP for State.

Mr. Deepak A. Gaikwad (P.S.I.), Dadar Police Thane, Mumbai.

Smt. M. M. Deshmukh, Addl. P.P.

Mr. Vishal Navale for Respondent No. 3 in WPL/21199/2025.

Mr. Ashutosh Mishra for UOI, Respondent No. 4 in WPL/21199/2025.

CORAM : G.S. KULKARNI &

ARIF S. DOCTOR, JJ.

P.C:

1. The Municipal Corporation in the larger public interest and more particularly considering the health of the citizens in densely populated areas in Meera Jadhav 2/10 905-906-wpl-21199-25&anr.doc Mumbai like Dadar and the other parts, have taken steps to close down, what are popularly known as "Kabutarkhanas", the feeding places for the pigeons. The basis of such actions was on account of the pigeon droppings, feathers and other particulate matters being carried by air, causing severe respiratory diseases, notified as acute interstitial pneumonitis, which is purely related to exposure to pigeons.

2. On such backdrop, we extensively heard the learned counsel for the parties on 24th July 2025 leading to a detailed order being passed on the present proceedings. We recorded the contentions as urged on behalf of the Municipal Corporation relying on an affidavit of Dr. Amita U. Athavale, Professor and Head (Department of Pulmonary Medicine and Environmental Pollution Research Centre), KEM Hospital. The deponent stated that the pigeons droppings and the feathers and other issues connected with the congregation of pigeons, has triggered asthma and other diseases like hypersensitivity, pneumonitis etc. We also noted a decision of the Division Bench of this Court in Adarsh Chowpatty Pragati Mandal & Ors. Vs. State of Maharashtra & Anr. [Writ Petition No.2197 of 1998] (Coram : A. S. Oka and P. N. Deshmukh JJ. as their Lordships then were) then referring to the medical materials as submitted by Dr. Sujeet Rajan, an expert in the field. The Court in such judgment rendered on 21st June 2018, accepted the medical report which was to the effect that it was extremely important to dismantle open feeding areas in Mumbai. The report of the expert observed that exposure to pigeons and their droppings can wreak havoc in child's or adult's lungs and the hypersensitivity Meera Jadhav 3/10 905-906-wpl-21199-25&anr.doc pneumonitis, can cause acute breathlessness, and by avoiding exposure to pigeons can reduce symptoms and normalise the lungs. It was observed that most people realise this medical condition too late and only when they get more severe, by which time fibrosis has already started in the lungs. It was also observed that there is no drug currently available in the world to cure or reverse fibrosis, and as it progresses, many of these patients require oxygen at home, and often die suffering on ventilators, or waiting for a lung transplant- something not yet available in Mumbai, extremely expensive, and fraught with complications and poor survival rates.

3. It is with such seriousness of the matter we had adjourned the proceedings to 7th August 2025 on the backdrop of our prior order dated 15 th July 2025, in the light of the directives sought to be implemented by the Municipal Corporation and considering the human health to be paramount, we refused to grant any ad-interim orders on the petition. The following observations are made in our order are referred as follows:

"However, in view of the policy now sought to be implemented by the Municipal Corporation considering the human health to be paramount, we are not inclined to grant any ad-interim order at this stage. In any event granting any such order would amount to a substantial relief being granted on the writ petition at the interim stage. We need to hear all the parties and thereafter pass appropriate orders on the petition."

4. We however directed that the old heritage Kabutarkhana be not demolished. Thus, although by our order dated 24 th July 2025 we adjourned the hearing of this petition to 7 th August 2025, as some disturbing facts the feeding at these Kabutarkhanas has continued as also the congregation is being Meera Jadhav 4/10 905-906-wpl-21199-25&anr.doc encouraged, in the present monsoon season, thereby creating a very serious health hazard, we have listed the proceedings today. Also a report to this effect with photographs is published in today's local newspaper Maharashtra Times [dated 30th July 2025] which shows the disturbing state of affairs. This has a bearing on the orders passed by this Court.

5. The said news report alongwith the photograph shows not only the presence of these birds in large number at the Dadar Kabutarkhana but also pigeons feathers lying everywhere in the vicinity and most importantly people walking on the road with handkerchiefs on their nose. protecting themselves from the stink and the infection, which is likely to be caused. The comment as made in the news report is quite telling which reads thus:

OFFICE TRANSLATION:

"After the State Government announced to close down the 'kabutarkhanas' (pigeons feeding location), the Mumbai Municipal Corporation had immediately started demolition work thereof. However, the Hon'ble Court has passed Interim Order not to take action of demolition work of old kabutarkhanas till the date 7th August and as a result, the foul smell emitting due to the filth of feathers and excreta of pigeons is continuing in the vicinity of kabutarkhana in Dadar and therefore, the residents passing by the said area are required to pass by the said area by covering their nose with hands."

(emphasis supplied)

6. We may observe that although the Municipal Corporation has announced its directives to close down the Kabutarkhanas in Mumbai, considering the paramount interest of the citizens health and which is certainly an issue of large public interest, touching the collective fundamental rights of the citizens of health, life and livelihood, the result which was sought to be Meera Jadhav 5/10 905-906-wpl-21199-25&anr.doc achieved by the Municipal Corporation, was that, no feeding of the pigeons in such places or any arrangements that the pigeons congregate at such places stood prohibited. However, despite such clear directives which are sought to be implemented very rigorously, as

pointed out to us on the earlier occasions, as also the court refusing to grant any stay on such directives of the Municipal Corporation, it appears to be rampant that the feeding of pigeons at these prohibited places has continued unabated. In fact measures were taken by the Municipal Corporation to cover these areas so that the pigeons would adopt themselves to the natural surroundings and no feeding would then be possible is being defeated in every possible manner, is the sad reality.

7. In our order dated 15th July 2025, we did not grant any relief that the covers, which were put up be removed and the congregation in any manner can be encouraged and any feeding was made permissible. However, what appears to be happening is that some persons mischievously and certainly illegally have continued to feed foodgrains to the pigeons. This is a matter of immediate concern in so far as not only the Dadar Kabutarkhana is concerned but it needs to be a concern qua the other Kabutarkhanas.

8. Mr. Shah, learned counsel for the Petitioner in Writ Petition (L) No.21694 of 2025 fairly informs the Court that in so far as his clients are concerned none of his clients are undertaking any feeding activities, after the ban was introduced by the Municipal Corporation and an undertaking to that effect is ready and willing to be filed by the Petitioners. Similar position has been taken by Mr. Pandya who appears in Writ Petition (L) No.21199 of 2024 Meera Jadhav 6/10 905-906-wpl-21199-25&anr.doc that in no manner whatsoever, any feeding is undertaken and/or the congregation of pigeons encouraged. Both the learned counsel for the petitioners fairly stated that they would await the hearing of the proceedings on 7th August 2025. It is submitted that their clients are in the process of gathering proper materials so that the larger issues they intend to canvass in the proceedings can be placed for consideration of the Court.

9. On the other hand, Ms Adhate, learned counsel for the Municipal Corporation has placed on record an affidavit of Mr. Vitthal Jadhav, Senior Architect Development Plan Department (Heritage) to contend as to what would be the heritage features of the Kabutarkhana as identified by the Heritage Committee. The reason being a concern was raised whether in the facts and circumstances of the case, it would be appropriate to remove the railings of the surrounding the fountain, where the kabutarkhana is been maintained and make the congested area open and available for traffic. It appears to be not in dispute, insofar as the Dadar Kabutarkhana is concerned, a metal water fountain was gifted by Shri Velanji Ratanshi in the year 1933 to provide drinking water facility to the public at large. However, later on it appears that the same came to be converted to a place where pigeons can be fed and the original purpose with which such fountain was installed, faded into insignificance and what gathered popularity was feeding of the pigeons at such place.

10. Be that as it may, we do not intend to delve on such issues at this stage of the proceedings on the issue of what is the civil (constructed) part of these Meera Jadhav 7/10 905-906-wpl-21199-25&anr.doc structures, and as to what is protected and what cannot be removed by the Municipal Corporation. Suffice it to observe that the major concern today is again of the most vital aspect namely the safety and predominance of human/public health from the menace created by the

congregation of pigeons in the Kabutarkhanas in question. The congregation and feeding which is now not permitted by the Municipal Corporation.

11. The concern raised by the Municipal Corporation is of some persons still illegally indulging in the activity of feeding the pigeons and in what manner we do not know. Ms Adhate has also placed on record a photographs that when the Municipal Officers are on the site discharging their duties to achieve such public good, they were prevented by certain persons from discharging their official duties. She also has a videograph. She submits that to this effect NCR No.1135/2025 was registered with the Dadar Police Station under Section 221 of the Bhartiya Nyaya Sanhita 2023 (BNS) against such persons who are in fact indulging in illegal feeding of the pigeons and obstructing the discharge of the public duty by not paying when called upon to deposit a fine of Rs.500/-.

12. Ms Aadhate has also placed on record a compilation of photographs which clearly show the serious health hazard being created by the pigeons coming to the place and congregating at the Kabutarkhana as food grains are thrown and made available to the pigeons at this place. We take the photographs on record.

13. Given the state of affairs, which has been brought to our notice, we find Meera Jadhav 8/10 905-906-wpl-21199-25&anr.doc that merely lodging of a non cognizable report under Section 174 of the BNS is certainly not sufficient. As noted earlier, the issue at hand is one of public health and the grave and potential health hazard to the public at large i. e. for the human health of infants / children to the elderly. This is now compounded with an emerging situation of utter disregard for law, by those who defiantly continue to feed pigeons in the teeth of our earlier order rejecting pleas supporting any such feeding and congregation of pigeons and now obstruction to the civic officials from discharging their duties in this regard.

14. In our opinion and as rightly submitted by Mrs. Deshmukh, the Learned Additional Public Prosecutor, such conduct would also attract offences under Sections 2701, 2712 and 2723 of the BNS 2023. Thus given that the officers of the Municipal Corporation are brazenly being prevented from discharging their lawful duties, we find that the Municipal Corporation would be wholly justified and infact ensure that any person who continues to act in defiance / violation of the orders issued by the Corporation, would also attract prosecution to be lodged under the said provisions of the BNS.

15. We accordingly permit the Designated officer of the Municipal Corporation to lodge prosecutions under the provisions of Section 270, 271 and 272 of the BNSS against any person/s who continues to feed pigeons in defiance of the directives issued by the MCGM, since such acts would in our unhesitating view constitute a public nuisance and likely to spread diseases and endange humand life. Such acts undoubtely expose the public at large and 1 Public Nuisance 2 Negligent act likely to spread infection of disease dangerous to life 3 Malignant act likely to spread infection of disease dangerous to life.

Meera Jadhav

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particularly those who dwell or occupy property in the vicinity, to an eminent danger from the spread of infections / diseases dangerous to human life, in addition to causing a large scale public nuisance. We thus issue the following directions :

i) The Municipal Corporation shall take all the necessary steps and implement strict measures as they may deem appropriate to stop the congregation of pigeons at the various Kabutarkhanas across the city.

ii) The Municipal Corporation shall also install sophisticated CCTV cameras wherever required in addition to deputing beat marshals/officers of the Municipal Corporation at all the sites where pigeon feeding continues to take place.

iii) The beat marshals/officers shall also ensure that people living in the vicinity do not throw grains/bird seed from their respective houses or properties.

iv) We also direct that appropriate police personnel are deployed to ensure that pigeon feeding is not carried out in defiance of the directives issued by the MCGM. In addition to ensuring that law and order is maintained and the beat marshals/officers of the Corporation are not prevented from carrying out their duties.

v) We permit the Designated Municipal Officer to lodge appropriate criminal complaints alongwith all the appropriate photographs or videographs with the officer in-

charge of the Dadar Police Station or the other Police Stations in respect of the other Kabutarkhanas as observed by us.

vi) We also permit the Municipal Corporation to cordon off Meera Jadhav 10/10 905-906-wpl-21199-25&anr.doc and cover the Kabutarkhanas with an appropriate materials to ensure that there is no congregation of the pigeons at one place .

vii) We also direct the Municipal machinery to maintain hygiene and cleanliness at this Kabutarkhanas so that there is no nuisance to the public at large.

16. Let the compliance of the above be informed to the Court on the adjourned date of hearing.

17. We are in fact surprised as to why despite our clear orders the Municipal Corporation did not point out the correct position until the newspapers were required to make such reports which appear to be indisputed, and that too when the interest of the health of the citizens is at stake.

18. We accordingly adjourn the proceedings to the scheduled returnable date, i.e. 7th August 2025 when we shall proceed to hear the parties and pass further orders on the present proceedings.

19. Ad-interim orders granted earlier to continue until the adjourned date of hearing.

[ARIF S. DOCTOR, J.]

[G.S.]

Signed by: P.V.Rane

Designation: PS To Honourable Judge Meera Jadhav

Date: 30/07/2025 22:08:03

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ITEM NO.63

COURT NO.4

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).22103-22104/2025

[Arising out of impugned final judgment and order dated 24-07-2025 in WPL No. 21199/2025 30-07-2025 in WPL No. 21199/2025 passed by the High Court of Judicature at Bombay]

PALLAVI SACHIN PATIL & ANR.

Petitioner(s)

VERSUS

MUNICIPAL CORPORATION OF GREATER MUMBAI & ORS.

Respondent(s)

(IA No. 190925/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT IA No. 191261/2025 - INTERVENTION/IMPLEADMENT IA No. 190929/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 11-08-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE J.K. MAHESHWARI
HON'BLE MR. JUSTICE VIJAY BISHNOI

For Petitioner(s) : Mr. Colin Gonsalves, Sr. Adv.
Mr. Kaliangpou Kamae, Adv.
Mr. Satya Mitra, AOR

For Respondent(s) : Mr. Ashish Wad, Adv.
Mr. Manoj Wad, Adv.
Ms. Sandeep Mohan Patil, Adv.
Ms. Akriti Arya, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Arising out of an interim order passed by the High Court in WPL No. 21199 of 2025, the present special leave petition have been filed.

After hearing, in our view, the proceedings are pending

(15) before the High Court and the merit of the case is under consideration. In such a situation, parallel indulgence by this Court is not proper.

3. Therefore, we are not inclined to entertain the present special leave petition. Accordingly, the special leave petition are dismissed. However, the dismissal of the special leave petitions would not debar the petitioners to move an application for modification of the order, if any.

4. Pending applications including application(s) for intervention, if any, shall stand disposed of.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(NAND KISHOR)
ASSISTANT REGISTRAR