

BEFORE THE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH NEW DELHI****OA NO. 394 OF 2022**IN THE MATTER OF:

PUSHPENDRA KUMAR

...APPLICANT

VERSUS

BLOCK DEVELOPMENT OFFICER, KADAURA & ORS

...RESPONDENTS

WRITTEN ARGUMENTS ON BEHALF OF APPLICANT

Most Respectfully Sheweth That:

1. The applicant has filed the present application under Section 18 (1) read with Sections 14, 15, 16 and 17 of the National Green Tribunal Act, 2010 **seeking the compliance of CPCB guidelines for the environmental management of Gaushala/ dairy farms issued by CPCB in July, 2020 and Manual on Management of Gaushalas by ICAR New Delhi vide dated 03rd May 2016 and environmental norms particularly those embodied by the provisions of the Water Act 1974 and Air Act 1981 in all Gaushalas/ Nirashrit Go Ashray Sthal running in Uttar Pradesh.**
2. In his Additional Response filed vide email dated 11.02.2024 **Additional Chief Secretary, Animal Husbandry Department, Uttar Pradesh has submitted that Nirashrit Go Ashray Sthal is completely different from Gaushala.** These shelters are not commercial establishments but merely rehabilitation centres, where welfare arrangements are made for the destitute cows.
3. **In para 42 and 43 of order dated 13.08.2024 this hon'ble tribunal rejected the submissions made by 2024 Additional Chief Secretary, Animal Husbandry Department, Uttar Pradesh as ...** " It is relevant to note here the definition of "Gaushala" given in the "Guidelines for Environmental management of Dairy Farms and Gaushalas" issued by CPCB which reads as under: - "Gaushalas are the establishment which in-house weak, sick, injured, handicapped and abandoned homeless cattle/cows to rehabilitate them." 43. **We find no force in these submissions made by the District Magistrate, Jalaun and Additional Chief Secretary, Animal Husbandry Department, Uttar Pradesh** that due to the Gaushalas/Nirashrit Go Ashray Sthals being temporary and non-commercial establishments are exempted from

applicability of and are not required to comply with the Guidelines for Environmental Management of Dairy Farms and Gaushalas issued by CPCB and Manual on Management of Gaushalas issued by ICAR **for the simple reason that any such place where cows are kept in large number, with whatever name given to the same, will fall within the definition of the gaushala and any gaushala whether temporary or permanent, commercial or non-commercial, profit making or non-profit making will be bound to comply with the Guidelines for Environmental Management of Dairy Farms and Gaushalas issued by CPCB and Manual on Management of Gaushalas issued by ICAR and environmental norms particularly those embodied by the provisions of the Water Act 1974 and Air Act 1981. Therefore, the Gaushalas/Nirashrit Go Ashray Sthals will be bound to comply with the same and will not be entitled to any exemption from the applicability thereof and compliance therewith.**

4. **In para 47 of order dated 13.08.2024 is reproduced as ...** “We are of the considered view that the environmental questions raised in the present original application regarding the Gaushalas/Nirashrit Goashray Sthals are not confined to the Gaushalas/Nirashrit Goashray Sthals situated in District Jalaun only and arise in respect of all the Gaushalas/Nirashrit Goashray Sthals situated in the entire State of Uttar Pradesh. **In view of the nature, significance, magnitude and impact of the social and environmental questions involved, we consider it appropriate to and accordingly widen the scope of the proceedings to entire State of Uttar Pradesh.**”
5. **In para 48 (ii) of order dated 13.08.2024** this hon’ble tribunal directed the ACS, Animal Husbandry Department, Government of Uttar Pradesh to ensure implementation of and compliance with the Guidelines for Environmental Management of Dairy Farms and Gaushalas issued by CPCB and Manual on Management of Gaushalas issued by ICAR.
6. **In para 48. (iv) of order dated 13.08.2024** this hon’ble tribunal directed ACS , Animal Husbandry Department, Government of Uttar Pradesh to review all Gaushalas/Nirashrit Goashray Sthals in the State of Uttar Pradesh and close all Gaushalas/Nirashrit Goashray Sthals which do not meet siting criteria, requirement of land and infrastructure or are not complying with the Guidelines for Environmental Management of Dairy Farms and Gaushalas issued by CPCB and Manual on Management of Gaushalas issued by ICAR and environmental norms; (v) suitably modify its policy to make Gaushalas/Nirashrit Goashray Sthals permanent so that the tag of the same being temporary /make shift arrangement does not prevent compliance and justify non-compliance with the Guidelines for Environmental Management of Dairy Farms and Gaushalas issued by

CPCB and Manual on Management of Gaushalas issued by ICAR and environmental norms and to file report in this regard within three months.

7. **In para 49 of order dated 13.08.2024** this hon'ble tribunal directed UPPCB to inspect all Gaushalas/Nirashrit Goashray Sthals for compliance with the Guidelines for Environmental Management of Dairy Farms and Gaushalas issued by CPCB and Manual on Management of Gaushalas issued by ICAR and the environmental norms particularly the Water Act 1974 and Air Act 1981 and take appropriate action including order for closure and imposition environmental compensation in accordance with law for non-compliance/violations and to file Action Taken Report within three months.
8. **This hon'ble tribunal may kindly be pleased to pass any other directions in addition to the direction issued by this tribunal in order dated 13.08.2024 in final judgement for the strict compliance of CPCB guidelines for the environmental management of Gaushala/ dairy farms issued by CPCB and Manual on Management of Gaushalas by ICAR New Delhi vide dated 03rd May 2016 for the welfare public and nation.**
9. In original application no 394/2022 the applicant also seeks relief regarding closure of illegal slaughter houses and slaughtering of animals in meat shops. **by order of this tribunal dated 13.08.2024** original application no 394/2022 is bifurcated by registry into two OAs. original application no 394/2022 is kept for Gaushala matter while **New OA no 1307/2024 has been allotted for the matter regarding slaughtering of animals in meat shops.**
10. **The applicant filed IA no 580/2024 in OA no 1307 of 2024** for the applicability of environmental laws in slaughtering of animals in meat shops and **amended memo of parties in OA no 1307 of 2024 on 19.03.2025.**
11. In last all one and half year, no progress has made in OA no 1307/2024 (slaughtering of animals in meat shops) due continuous adjournment application.
12. The applicant humbly request this hon'ble tribunal to issue direction to issue notice to the respondents mentioned **amended memo of parties filed in** OA no 1307/2024 (slaughtering of animals in meat shops). Post the reply received from respondents this hon'ble tribunal may kindly be decide for further action.

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Filed by:

The image shows three handwritten signatures in blue ink. The first signature is 'Mani', the second is 'Parth', and the third is 'Hari Shankar Jain'. They are written on a light-colored background.

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