

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 989/2019

(With report dated 23.01.2020)

Ved Prakash Aggrawal

Applicant(s)

Versus

Municipal Commissioner, Nagar Nigam Ghaziabad

Respondent(s)

Date of hearing: 24.01.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE S.P WANGDI, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER  
HON'BLE MR. SIDDHANTA DAS, EXPERT MEMBER**

For Respondent(s): Mr. Daleep Dhyani, Advocate for UPPCB  
Mr. Mukesh Kumar, Advocate for CPCB

**ORDER**

1. A factual and action taken report was sought from Central Pollution Control Board (CPCB), Uttar Pradesh State Pollution Control Board (UPsPCB), District Magistrate, Ghaziabad and the Municipal Commissioner, Ghaziabad with reference to the allegation of illegal operation of dairy farms in residential colony of Chiranjiv Vihar, Ghaziabad. According to the applicant, operation of such dairies was resulting in degradation of environment and causing harm to the public health.

2. Accordingly, a joint inspection report has been furnished by the CPCB on 23.01.2020 acknowledging illegal operation of dairy farms with no safeguards for disposal of waste. The water samples have not been found to be meeting the standards. Observations from the report are:

**“4.0 Wastewater/sewage quality:**

*It was observed that the untreated wastewater from households as well as dairy farms of Chiranhiv Vihar finds its way to a drain located between railway line and Sectors-2 & 3, Chiranjiv Vihar, which ultimately meets the River Hindon. During joint inspection, grab samples of wastewater were collected from two locations of drain to assess the quality. The quality of waste water is tabulated as follow:*

<b>Sl. No.</b>	<b>Parameters</b>	<b>Upstream of drain (Latitude: 28.663158 N, Longitude: 77.467578 E)</b>	<b>Downstream of drain (Latitude:28.664547N, Longitude:77.469693E)</b>	<b>The Environmental (Protection) Rules, 1986, Schedule-VI: General Standards for Discharge of Environmental Pollutants in Public Sewers</b>
1.	pH	7.15	7.04	5.5-9.0
2.	COD,mg/I	284	364	-
3.	BOD,mg/I	81	72	350
4.	TSS,mg/I	144	133	600
5.	TDS,mg/I	644	508	-
6.	Chloride,mg /I	79	98	-
7.	NO <sub>3</sub> -N,mg/I	2.15	1.96	-

8.	<i>Sulfate,mg/I</i>	55	64	-
9.	<i>PO<sub>4</sub>-P,mg-I</i>	3.2	2.9	-
10.	<i>Total Coliform, MPN/100ml</i>	$14 \times 10^7$	$33 \times 10^6$	-
11.	<i>Fecal Coliform,MPN/100ml</i>	$11 \times 10^7$	$23 \times 10^6$	-
12.	<i>Fecal Streptococci, MPN/100ml</i>	$23 \times 10^6$	$33 \times 10^6$	-

*It should be ensured by the local authorities that untreated wastewater to be properly treated before disposing-ff.*

#### **5.0 Recommendations:**

*As the dairy farms are running, illegally, without obtaining any license to operate from local authorities, the Nagar Nigam should carry out extensive survey of the area and ensure immediate closure of the dairy farms being operated in the residential colonies of Chiranjiv vihar.*

#### **6.0 Action taken:**

*The Nagar Nigam, Ghaziabad have been issuing notices to the dairy operators to shut down their dairies operating in Chiranjiv Vihar and also, imposing monetary penalties for illegal operation of dairy farms. A list of such dairies which were issued notices/penalties is provided at Annexure-II. The Nagar Nigam, Ghaziabad has also lodged FIR on 3/12/2019, to the Police Station, Kavi Nagar for necessary actions against the nine dairy farm operators under the Public Property Damage Control Act, 1984 and Air (Prevention and Control) Act, 1981 (Annexure-III).”*

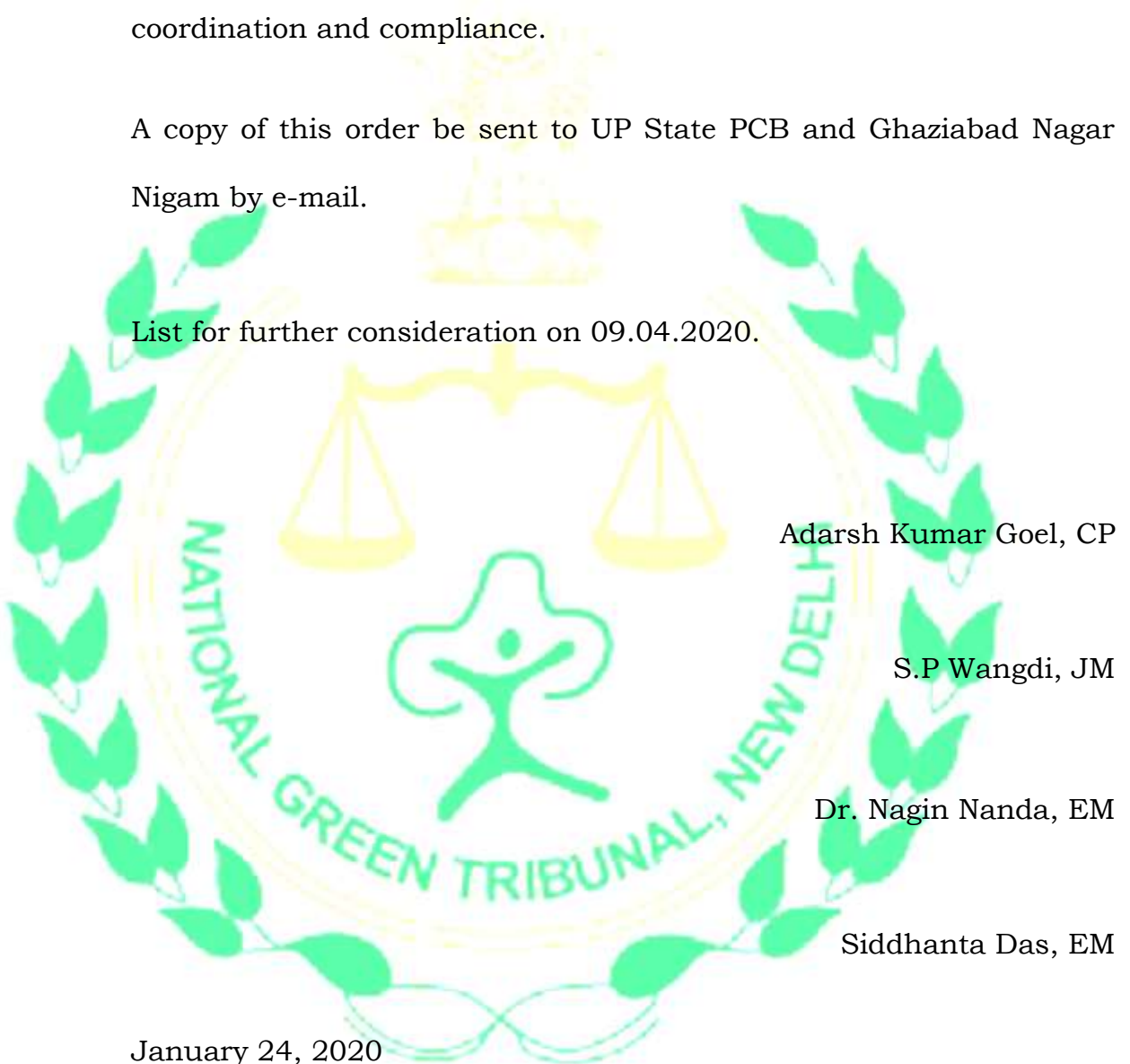
3. From the above, it is clear that there is blatant violation of law which needs to be checked forthwith by stopping polluting activities and recovering compensation from polluters, apart from any other

statutory action. Beyond issuing notice, there is no information about any other action.

4. Let further action be now taken and a report furnished by UP State PCB and Ghaziabad Nagar Nigam within one month by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in). The SPCB will be the nodal agency for coordination and compliance.

A copy of this order be sent to UP State PCB and Ghaziabad Nagar Nigam by e-mail.

List for further consideration on 09.04.2020.



Adarsh Kumar Goel, CP

S.P Wangdi, JM

Dr. Nagin Nanda, EM

Siddhanta Das, EM

January 24, 2020  
O.A No. 989/2019  
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