

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

(By Video Conferencing)

Original Application No.989/2019

(With report dated 21.02.2020)

Ved Prakash Aggrawal

Applicant(s)

Versus

Municipal Commissioner, Nagar Nigam  
Ghaziabad

Respondent(s)

Date of hearing: 14.08.2020

**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**

Respondent(s): Mr. Pradeep Misra and 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 (UP PCB), 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. The matter was further considered on 24.01.2020 in light of the report of the Joint Committee dated 23.01.2020 acknowledging illegal operation of dairy farms without requisite safeguards. The Tribunal observed and directed:

*“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.”*

3. Accordingly, further report has been filed by Municipal Corporation, Ghaziabad inter-alia stating that the matter should be dealt with by the Development Authorities (the *Awas Vikas Parishad*).

4. We are of the view that the State Pollution Control Board needs to take action in view of patent violation of Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981 and Environment (Protection) Act, 1986 and order of this Tribunal dated 20.05.2020 in O.A. 46/2018, *Nuggehalli Jayasimha v. Government of NCT of Delhi*.

5. Let action taken report be filed before the next date by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

List again on 08.10.2020.

A copy of this order be sent to the State PCB by email for compliance.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr.Nagin Nanda, EM

August 14, 2020  
Original Application No.989/2019  
SN