

(2023) 11 NGT CK 0007

National Green Tribunal Principal Bench, New Delhi

Case No: Original Application No. 660 Of 2023

Seetaram

APPELLANT

Vs

Veerpal & Ors

RESPONDENT

Date of Decision: Nov. 2, 2023

Hon'ble Judges: Prakash Shrivastava, CP; Dr. A. Senthil Vel, EM

Bench: Division Bench

Final Decision: Disposed Of

Judgement

1. Earlier OA No. 503/2023 was registered on the basis of the communication sent by some of the persons, including Veerpal alleging operation of dairy farm in Kosi Kalan in violation of the environmental norms and the said OA was disposed of by the Tribunal by order dated 18.08.2023 by observing as under:

“2. In view of the facts as contended by the applicant and narrated in the application, we direct that the copy of the application be sent to the State PCB with the direction to monitor the parameters of noise pollution and if there is any violation, necessary action must be initiated in accordance with law.

With these observations, Original Application stands disposed of.”

2. Now, this original application has been registered on the basis of the letter dated 14.10.2023 sent by one Seetaram son of Purushotam resident of Gopal Bagh, Police Station Kosi Kalan, District Mathura, Uttar Pradesh with the plea that the applicant is running a small dairy at Gopal Bagh, Kosi Kalan adjacent to a drain and some persons of the area are threatening and trying to attract money problem and, in that process, they send letters to NGT.

3. In the application, it is also stated that the applicant voluntarily in public interest and in the interest of society and environment is ready to shift his business and for that purpose one year time may be granted as about a dozen employees are surviving on that business.
4. The order passed in MA No. 503/2023 indicates that the Tribunal had only directed the State PCB to monitor the parameters of noise pollution and to take necessary action in accordance with law if there is any violation. The said order was not directed against any particular dairy farm.
5. In the present OA, one of the allegations is that the applicants of earlier OA are threatening and that there are other dairies operating in the residential area at Kosi Kalan but action is being taken only against present applicant.
6. We are of the view that if the State Authorities are taking any action, they should not target any particular dairy but uniform action should be taken against all the defaulting dairies of concerned area in accordance with law.
7. The prayer which has been made by the applicant for extension of time does not fall within the jurisdiction of this Tribunal as there was no such time limit fixed in the earlier order and no specific direction was issued in this regard.
8. In the facts of the present case, the applicant is permitted to approach the concerned Court or Tribunal for such a relief, in accordance with law.
9. The OA is accordingly disposed of.