

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH: KOLKATA**

**O.A. NO.108 OF 2024/EZ.**

Srikanta Dash. ... Applicant.  
-Versus-  
State of Orissa & others. ... Respondents.

**: I N D E X :**

Sl. No.	Description of Documents	Pages.
1.	Counter Affidavit filed by Respondent Nos.3, 5 and 8.	1-9
2.	<b>Annexure-A/5.</b> Copy of Joint Enquiry Report dated 3.08.2024.	10-44

Cuttack

Date: 19.09.2024.

*Saswati Kalra*  
Addl. Government Advocate.

*Sunil Agarwal*  
*Absby*

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH: KOLKATA**

**O.A. NO.108 OF 2024/EZ.**

Srikanta Dash. ... Applicant.  
-Versus-  
State of Orissa & others. ... Respondents.

**COUNTER AFFIDAVIT FILED ON BEHALF  
OF THE RESPONDENTS/OPP.PARTIES  
NOs.3, 5 & 8.**

I, Sri Akshay Sunil Agrawal, aged about 32 years, Son of Sri Sunil Agrawal, at present working as Collector & District Magistrate, Nayagarh, Dist: Nayagarh, Odisha do hereby solemnly affirm and state as follows:-

1. That I am Opp.Party No.5 in this case and swearing this affidavit for self and on behalf of the Opp.Party Nos.3 and 8 being duly authorized by the Opp.Party No.3.

2. That I have gone through the abovementioned original application and have understood the contents thereof. In my official capacity I am well acquainted with the facts of the case and thus competent to swear this affidavit.

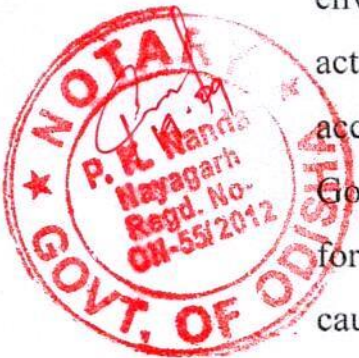


*P. K. Nanda*

*Akshay Sunil Agrawal*

-X-

3. That the aforesaid original application has been filed by the applicant before the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata seeking for a direction to the Collector & District Magistrate, Nayagarh to demolish and remove of the illegal encroachments/structures standing in the said reserve forest to protect the original form of the Gochar Land, Wetland and Reserve Forest and to initiate criminal proceeding U/s.379, 420, 120-B of IPC and Section-19 of Environment Protection Act 1986 against the private Respondents No.11 and 12 and other erring officials and respondents also to impose fine and environment compensation as there is irreparable loss to the environment and huge pollution due to the illegal activities in the reserve forest as well as fix the accountability/responsibilities of the concerned Government Authorities including Tahasildar, Ranpur for their inaction and willful dereliction of duties causing loss to the State Exchequer and damage to environment. The petitioner also prayed for a direction to constitute a joint committee of District Collector, Nayagarh, Divisional Forest Officer, Khurda, Officer of SEIAA, Odisha, Odisha State Pollution Control Board and other officers as Hon'ble Tribunal deems fit to enquiry and submit its report.



*[Handwritten signature]*  
K. K. Nanda

*[Handwritten signature]*  
Abhishek Kumar Agrawal

X

4. That the averments made in paragraphs-1 to 3 of the original application call for no reply from this deponent.

5. That in reply to the averments made in paragraphs-4 and 5 of the original application, it is humbly submitted that the joint enquiry team formed by the Respondent No. 5 (Collector, Nayagarh) comprising of ADM, Revenue, Nayagarh, A.C.F. Khurda & Regional Officer, State Pollution Control Board, Berhampur have found in the enquiry that Respondent Nos. 11 & 12 have done farm pond on their private land and some farm ponds have been extended to the nearby reserve forest on about 0.28 hect. The Respondent No. 11 & 12 have not encroached any Govt. gochar land adjacent to the reserve forest but have encroached Ac. 0.57 Govt. waste land adjacent to their private land recorded as kissam Unnata Jojana Jogya (Development purpose), for the purpose of accessibility & other purposes.



It is further humbly submitted that the allegation made by the petitioner has been enquired into by a team constituted by Respondent No.5 (Collector, Nayagarh) comprising ADM, Revenue, Nayagarh, A.C.F. Khurda & Regional Officer, State Pollution Control Board, Berhampur. During enquiry, the team

*[Handwritten signature]*

*Abelray Sunil Agrawal*

-X-

visited the spot on 02.07.2024 and submitted their report to the Respondent No. 5 on 3.08.2024.

It reveals from the enquiry report that the alleged Swastik Farm has been established in a compact patch of Ac. 35.58 of rayati land of Swaraj Kumar Mohanty, Rangin Mohanty & Swarup Kumar Mohanty who belong to one family. The Joint Enquiry Team has detailed out the Plot and area of the Farm is Ac. 35.58. Out of the total area, the poultry farm exists on Plot No. 314, 110 & 117 and the shed for the working labourers are constructed on part of plot Nos. 314, 106 & 104. About 10 Nos. of small ponds exist on Plot Nos. 90 & 91. The total farm is surrounded by Maninag Reserve Forest on north & south point. It was found by the Joint Enquiry Team that about Ac. 0.57 of land out of Plot No. 108 with kissam Unnata Jojana Jogya under hal Rakhita Khata No. 154 under Revenue Department which is adjacent to their private land has been encroached by Respondent Nos. 11 & 12 by erecting green fence & over head Tank for the farm. The approach road constructed by the Respondents No.11 and 12 are their own land and is used by the farm owner and the nearby tenants. Since the approach road is adjacent to the reserve forest boundary, the forest officials are also using this road to watch & ward the reserve forest. Some Natural growing plants are also found in the Government land. So, the allegation

✓  
Akshay Sunil Agrawal



*[Handwritten signature]*

~~X~~

made by the petitioner that road has been constructed by the Respondents No.11 and 12 over reserve forest land by cutting down the trees from reserve forest land unauthorizedly is false, fabricated & far from truth, hence denied.

As regards the allegation on encroached Gochar land, it is submitted that the farm house is approachable from the main road by a kutchra road which passes through Gochar kissam of land pertaining to Plot No.1 of holding No. 154 (Govt. Khata) of neighbouring village Lakhapada. As it was ascertained that the then Tahasildar has given permission to the farm owner for his egress & ingress over the Gochar land. This gochar land is adjacent to the private land pertaining to Plot No. 314 of the farm owner of village-Akhupadar. The farm owner himself has developed a kutchra road on the edge of their tenanted land inside the farm which runs parallel to the Maninag reserve forest in the southern part of the farm. The Govt. plot No. 108 with kissam Unnat Jojana Jogya in revenue record is located in between their private land and reserve forest land. The reserve boundary pillars clearly distinguishes that the said road has not transgressed into reserve forest.



*[Handwritten signature]*

*[Handwritten signature: Abshey Smil Agrawal]*

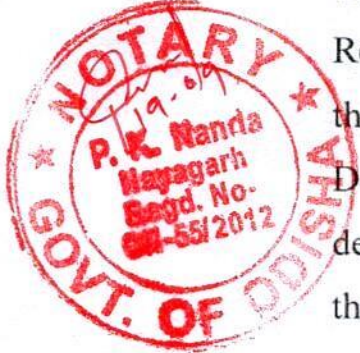
It is pertinent to mention here that 10 Nos. of ponds have been excavated by the farm owner on their

rayati land on Plot Nos. 90 & 91. These two plots exist on the northern side of Maninag Reserve forest sharing common boundary. It has been found that the farm owner has encroached about 0.28 hect. of reserve forest land and constructed farm bandha (boundary) and solar fencing as per the satellite image. Copy of Joint enquiry Report is annexed herewith as **Annexure- A/5**.

It is categorically denied that the poultry, fishery and fruit farming have been established in reserve forest land or revenue Department land.

6. That the averments made in paragraph-6 of the Original Application are false, baseless and hereby denied. It is humbly submitted that nowhere Respondent Nos. 11 & 12 were found to have blocked the forest land. The allegation of involvement of Departmental Officers of Nayagarh District is strongly denied. The photographs annexed by the petitioner in the original application are covering the rayati land of the farm owners and not in the reserve forest land.

7. That the averments made in paragraph-7 of the Original Application are not based on actual facts and hereby denied. In this context, it is humbly submitted that Plot No. 305 under Khata No. 154 is about 3 to 4 Kms. far from Swastik farm house. The Joint Enquiry Team have found that another person namely Sri Rajendra Das, Son of Chaitan has established a poultry



*P. K. Nanda*

*Abulay Sunil Agrawal*

-X-

farm in his rayati Plot No.120 and is staying there with his family. The alleged Plot No. 305 is not adjacent to Plot No. 120. Sri Rajendra Das has encroached about Ac. 0.20 of Government land from Plot No.66 Kissam-Patara Jungle by way of constructing out house over an area of Ac. 0.04 & raising plantation over an area of Ac. 0.16.

8. That in reply to the averments made in paragraph-8 of the Original Application, it is humbly submitted that for encroachment of Government land as per Revenue records, action can be taken by the Revenue Authority i.e. the Tahasildar under provision of Odisha Prevention of Land Encroachment Act. 1972 and rules made there under.



It is not true that the local authorities are silent over the matter. The fact of unauthorized encroachment by Respondent Nos.11 & 12 on the afore stated Government land in Plot No.108 and by one Rajendra Das on Plot No. 66 has been detected by the committee, and mentioned in their report.

9. That the averments made in paragraph-9 of the Original Application are false, baseless and hereby denied. It is a fact that the petitioner has filed an application before Collector, Nayagarh on 10.11.2023 alleging cutting of trees by the Respondent Nos. 11 & 12 from Forest land destroying the natural protected

*Akshay Sunil Agrawal*

*D*  
*ATG/11*

X

forest by digging ponds for fishing and other illegal works. Further, the petitioner alleged in the same petition that the Respondent Nos. 11 & 12 illegally blocked Plot No.305 recorded in Government Khata (Reserve) No.154 of village- Akhupadar for construction of poultry farm. The matter was enquired into jointly by the forest and revenue personnel to ascertain the truth of allegation at that time. It is found that Plot No. 305 is far from the alleged farm area and the poultry farm does not belong to Respondent Nos. 11 & 12. Accordingly the allegation of cutting of trees from forest land by Respondent Nos. 11 & 12 was also not proved at that time. Thus the allegation that Government officials have not taken any legal action against the private respondents is not true.



10. That the averments made in paragraphs-10 to 13 of the Original Application have already been explained in the foregoing paragraphs, hence further reply need not be given at the cost of repetition.

11. That the Respondents carves the leave of the Hon'ble Court to file fresh affidavit, it required in the interest of the lis.

12. That the original application is otherwise improper unjustified and as such is liable to be dismissed.

*Abhay Sunil Agrawal*

*4/11/14*

- X -

13. That the facts stated above are true to the best of my knowledge and belief based on official records.

Identified by:-

*Aswata Paluak*  
Advocate

*Abeley Sunil Agrawal*  
Deponent.

**Certificate**

Certified that the cartridge papers are not readily available.

CUTTACK

Date: 19.09.2024

*Aswata Paluak*  
Addl. Government Advocate

*Believe me*  
*19.09.2024*  
**Pratap Kumar Nanda**  
Advocate and  
Notary Public Nayagarh



COMMITTEE REPORT OF JOINT VERIFICATION IN  
O.A. NO. 108/2024 FILED BY SRIKANTH DASH -VRS- STATE  
OF ODISHA & OTHERS

The Hon'ble NGT have ordered to constitute a committee comprising of the following members and that the committee shall visit the site in question and submit it's report on affidavit within four weeks with regard to the allegation made in Original Application No. 108/2024

- i. District Magistrate, Nayagarh or his representative not below the rank of Addl. District Magistrate, Nayagarh.
- ii. Divisional Forest Officer, Khurda or his representative not below the rank of Asst. Conservator of Forests.
- iii. Senior Scientist, Odisha State Pollution Control Board, Berhampur

As per direction of the Hon'ble NGT, Collector, Nayagarh being the Nodal Officer in this case constituted the committee taking the following members (1) A.D.M.(Revenue), Nayagarh, the representative of Collector, Nayagarh (2) Asst. Conservator of Forest, the representative of DFO,. Khurda (3) Regional Officer, State Pollution Control Board, Berhampur the representative of Senior Scientist, OSPC Board.

The site was visited by the team on 02.07.2024. The Tahasildar, Ranpur with Revenue Supervisor & R.I., Hansara were present with village map and ROR of village Akhupadar. The Forest Ranger, Ranpur was also present on the spot. The owner of Swastik Farm Sri Swaraj Kumar Mohanty (O.P. No.11) and his wife Rangin Mohanty (O.P. No. 12) were present at the spot. The team examined the contents of the allegation made in the original application of the

petitioner in details with help of the available records. The pointwise observations were made as follows:-

Sl. No.	Issue	Present status																																																				
1.	<p>The petitioner has alleged that Respondent No. 11 &amp; 12 i.e. Swaraj Kumar Mohanty &amp; Rangin Mohanty are involved in</p> <p>(a) Illegal encroachment clearing of trees and constructed a farm house building over reserve forest land at Akhupadar Revenue village under Ranpur Tahasil.</p>	<p>(a) The Committee found that the Swastik Farm has been established in a compact patch on the following land schedule of village Akhupadar of Ranpur Tahasil which has been recorded in the name of Swaraj Kumar Mohanty, Rangin Mohanty &amp; Swarup Kumar Mohanty. All of them belong to same family.</p> <table border="1"> <thead> <tr> <th>Khata No.</th> <th>Plot No.</th> <th>Area (InAc.)</th> <th>Kissam</th> </tr> </thead> <tbody> <tr> <td>151/23</td> <td>107</td> <td>5.00</td> <td>Taila</td> </tr> <tr> <td rowspan="5">151/24</td> <td>90/316</td> <td>0.41</td> <td>Taila</td> </tr> <tr> <td>106</td> <td>3.14</td> <td>Bagayat-II</td> </tr> <tr> <td>110</td> <td>0.55</td> <td>Bagayat-II</td> </tr> <tr> <td>90</td> <td>5.95</td> <td>Bagayat-II</td> </tr> <tr> <td>104</td> <td>9.05</td> <td>Taila</td> </tr> <tr> <td>151/38</td> <td>91</td> <td>3.20</td> <td>Bagayat-II</td> </tr> <tr> <td>151/46</td> <td>312</td> <td>0.85</td> <td>Bagayat-II</td> </tr> <tr> <td>151/49</td> <td>101</td> <td>1.16</td> <td>Bagayat-II</td> </tr> <tr> <td>151/56</td> <td>100</td> <td>0.88</td> <td>Bagayat-II</td> </tr> <tr> <td>151/72</td> <td>99, 314</td> <td>3.22</td> <td>Bagayat-II</td> </tr> <tr> <td>151/84</td> <td>90/335</td> <td>2.17</td> <td>Taila</td> </tr> <tr> <td></td> <td><b>Total:-</b></td> <td><b>35.58</b></td> <td></td> </tr> </tbody> </table> <p>It was seen that poultry farms exist on Plot No. 314, 110 &amp; 107. The houses for accommodation of the workers has been constructed on part of Plots 314, 106</p>	Khata No.	Plot No.	Area (InAc.)	Kissam	151/23	107	5.00	Taila	151/24	90/316	0.41	Taila	106	3.14	Bagayat-II	110	0.55	Bagayat-II	90	5.95	Bagayat-II	104	9.05	Taila	151/38	91	3.20	Bagayat-II	151/46	312	0.85	Bagayat-II	151/49	101	1.16	Bagayat-II	151/56	100	0.88	Bagayat-II	151/72	99, 314	3.22	Bagayat-II	151/84	90/335	2.17	Taila		<b>Total:-</b>	<b>35.58</b>	
Khata No.	Plot No.	Area (InAc.)	Kissam																																																			
151/23	107	5.00	Taila																																																			
151/24	90/316	0.41	Taila																																																			
	106	3.14	Bagayat-II																																																			
	110	0.55	Bagayat-II																																																			
	90	5.95	Bagayat-II																																																			
	104	9.05	Taila																																																			
151/38	91	3.20	Bagayat-II																																																			
151/46	312	0.85	Bagayat-II																																																			
151/49	101	1.16	Bagayat-II																																																			
151/56	100	0.88	Bagayat-II																																																			
151/72	99, 314	3.22	Bagayat-II																																																			
151/84	90/335	2.17	Taila																																																			
	<b>Total:-</b>	<b>35.58</b>																																																				

(b) Built road within the reserve forest and constructed farm house in the name of "Swastik Farm House"

& 104. Small size ponds exist on Plot No. 90 & 91. The farm house is surrounded by "Maninag" reserve forest on north and south point. Govt. plot No. 108 Ac. 1.27 Kissam- Unnat Jojana Jogy is adjacent to the farm plot No. 110 & 104. Out of Plot No. 108, about Ac. 0.57 of land is under illegal possession of Swastik Farm House by erecting green fence and constructing over head water tank for the farm. The rest area of Plot No. 108 is used as approach road for the farm owner and nearby tenants. The Forest personnel are also using it as road to watch and ward the nearby reserve forest area. Some naturally grown trees are also found on the Govt. Plot.

(b) The farm house is at a distance of about 1 K.M. from the main road (P.W.D Road). The farm house is approachable from the main road by a Kutcha road which passes through Govt. plots in kissam Gochar and therefore this approach road to the farm does not come under reserve forest area. For this passage over Gochar land of village Lakhapada, the farm owner showed a permission letter issued to him by the then Tahasildar, Ranpur for ingress and egress.

As regards allegation of

construction of a road in the reserve forest, it was found that the farm owners have developed a Kutchra road on the edge of their tenanted land inside the farm which runs parallel to the "Maninag" reserve forest area in the southern part of the farm. The said road runs on their private land pertaining to Plot No. 110 and Plot No. 104 covering in between Govt. land pertaining to Govt. Plot No. 108 Kissam Unnat Jojana Jogya. The reserve pillars have been posted on the boundary of the reserve forest area which clearly distinguishes that the said road has not transgressed into the reserve forest. The road although is principally used by the farm owner, others such as the owners of other private land located in the vicinity are using to approaching their land. The forest officials are also using this for watch and ward of the reserve forest.

(c) Digging ponds by grabbing lakhs of rupees in the forms of Govt. financial assistance under various scheme.

(c) In enquiry, it was found that about 10 Nos. of ponds have been excavated by the farm owner on their private land on Plot No. 90 & 91. These two plots exist on the northern side of the farm and in the foot hill of "Maninag" reserve forest and therefore the land shares common boundary with the reserve forest area. It was noticed that the area of the pond on

*Handwritten signature in blue ink*

*Handwritten signature in green ink*

*Handwritten signature in green ink*

-X-

	<p>(d) Availing financial assistance for poultry farm and fish farming in those ponds in the reserve forest area. Special subsidy was granted to the encroacher from Nayagarh Agriculture Deptt. &amp; Horticulture Deptt for fruit farming .</p>	<p>Plot No. 90 &amp; 91 has been extended beyond the revenue boundary to the reserve area on approximately 0.28 hect. Also the farm owner have put up a solar fencing on the bundh of the pond within this 0.28 hect. area encroached from reserve forest. The Satellite image of approximate encroached area of "Maninag" reserve forest is attached as <b>Annexure-A.</b></p> <p>(d) No poultry farm exists in the reserve forest area. However, the boundaries of the ponds have been trespassed to the reserve forest area on about 0.28 hecter. The land owner Sri Mohanty stated that he has availed the benefit of schemes with subsidy from concerned Department, also borrowed loan from bank and financial institutions for development of his farm on his tenanted land. The alleged site is having total 4 Nos. of Poultry Sheds for farming of Broiler/layer birds. 2 Nos. of Sheds are Deep litter system types and another 2 Nos. of sheds are of Cage system types. On the day of inspection, 1 No. of shed of Cage system was found to have birds in it. The farm owner Sri Swaraj Mohanty informed that currently the capacity of handling of birds including all four sheds is less than 25000 nos.</p>
--	---	--





The State Pollution Control Board, Odisha vide Office Order No. 3395 dtd. 04.03.2022 has categorized Poultry Farms handling more than 5000 Birds at a given time in a single location under Green Category and they shall obtain Consent to Establish and Consent to Operate under Water (PCP) Act., 1974 and Air (PCP) Act, 1981 from the Board w.e.f. 01.01.2023 (**copy of Office Order is enclosed as Annexure-B**). Subsequently, the State Pollution Control Board, Odisha vide letter No. 7028 dtd. 02.05.2023 has intimated that the Hon'ble Apex Court, as an interim measures, vide their Order dtd. 28.04.2023 passed in "Civil Appeal No. 2480/2023- in the matter of The Poultry Farmers and Breeders Association Vrs.- Union of India and Others" has been pleased to stay the Order dtd. 10.12.2021 of Hon'ble NGT, PB, New Delhi passed in O.A. No. 320/2021 of Gauri Maulekhi Vrs. Union of India & Others. (**Copy of this letter enclosed as Annexure-C**).

In view of the above, since the unit is currently handling less than 25,000 birds in the location as stated by Sri Swaraj Mohanty, he is not required to obtain Consent to Establish and Consent to operate under Water Act, 1974 and Air Act, 1981 from the Board until further Orders. However the poultry unit shall





		abide by the environmental guidelines for poultry farms published by the CPCB in January, 2022(copy enclosed as Annexure-D).
2.	<p>(a) The Respondent No. 11 &amp; 12 have blocked the forest land and cut down the trees and destroyed the natural forest land by digging ponds and doing fishing and other illegal works.</p> <p>(b) The Departmental Officer of Nayagarh District are involved in this illegal activity as without their knowledge it would not have happened.</p>	<p>(a) As regards the allegation of cutting down trees on natural forest and digging of ponds for fishing, the Committee found, as narrated above, the ponds have been excavated on their Plot No. 90 &amp; 91 with kissam Bagayat. The lands having fruit bearing trees are usually recorded by the revenue authorities as kissam Bagayat. Further, as mentioned above, those ponds have been extended to the reserve forest area encroaching about 0.28 hecter.</p> <p>(b) As stated by the farm owner, he has been developing this farm house on their private land measuring total area of Ac. 35.58 investing his own capital and also availing subsidy on schemes of Agriculture, Animal husbandry, Horticulture etc and also borrowing loan from Banks against producing the land title.</p>
3.	Govt. land bearing Khata No. 154, Plot No. 305, Kissam- Forest, Area- Ac. 4.95 has been illegally blocked and a poultry farm has been constructed encroaching the forest land and creating serious	It was found that Plot No. 305 of village Akhupadar is not within the Swastik Farm area, it is at about 3 to 4 Kilometers far from the farm area. However, at the time of visit to this plot, it was seen that one Rajendra Das, S/o-

environmental pollution inside the reserve forest.

Chaitanya Das has his own private land on Plot No. 120. The family of Sri Rajendra Das is residing there having constructed their residential house and also has established a poultry farm on his own land. Plot No. 305 adjoins to the private land of Sri Rajendra Das. It was found that he has not constructed any poultry farm on Plot No. 305 but he has raised some plantation on a small portion of Plot No. 305 adjacent to his own land.

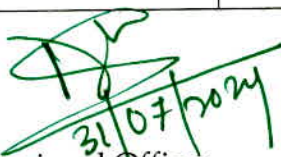
On the other hand, it was noticed that the family of Sri Das has encroached about Ac. 0.20 from another Govt. land in Plot No. 66 Kissam Patara Jungle by way of constructing an outhouse structure on Ac.0.04 and raising plantation on Ac.0.16. In addition to this, he has also encroached Ac. 0.03 of Rasta Kissam land out of Ac. 0.32 from Plot No. 121.

Whereas the allegation has been made that the Swastik Farm has established it's poultry farm etc. on Plot No. 305, the proprietor Swaraj Mohanty denied to have any interest on Plot No. 305. The family members of Sri Rajendra Das corroborated this during enquiry stating that the poultry farm is their own and others have no interest or entitlement. The related portion of settlement map of village Akhupadar

-XB-

	indicating the encroached area alongwith detail demarcation report submitted by Tahasildar, Ranpur is enclosed as <b>Annexure-E</b> for better appreciation of the fact.
--	--

  
Asst. Conservator Forest,  
Khurda

  
31/07/2024  
Regional Officer,  
SPCB, Regional Office,  
Berhampur

  
31-7-2024  
Addl. District Magistrate,  
(Revenue)  
Nayagarh

  
03/08/24  
Collector & Dist. Magistrate  
NAYAGARH



Map of the Approximate Encroached Area of Maninag Reserve Forest With Regards to O.A Case No 108/ 2024/Eastern Zone.

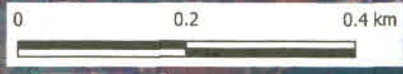


sl no	lat	long
1	20.05713	85.32479
2	20.05752	85.32458
3	20.05735	85.3235

**Legend**

- GPS Point
- Encroached\_Area
- Forest\_Boundary

Approximate\_Encroached\_Area:0.28 ha



Scale: 1:10,000

*[Handwritten Signature]*  
 Assistant Commissioner of Forests  
 Khordha Division, Khordha

*[Handwritten Signature]*  
 Addl. Dist. Magistrate  
 NAYAGARH



**STATE POLLUTION CONTROL BOARD, ODISHA**  
 [DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA]  
 Paribesh Bhawan, A/118, Nilakantha Nagar, Unit - VIII  
 Bhubaneswar - 751 012, INDIA

E-mail: paribesh1@ospcbboard.org

Website: www.ospcbboard.org

No 3395 / IND-I-CON- (Misc)1505

Dt 04-03-2022  
 By Speed Post /Email

**OFFICE ORDER**

In pursuance of the order dtd. 10.12.2021 of the Hon'ble NGT- Principal Bench passed in O.A. No. 320/2021 Gauri Maulekhi Vs. Union of India & Ors. read with the Environmental Guidelines for Poultry Farm published by the Central Pollution Control Board in January, 2022, the revised classification of Poultry Farm under Green category is as follows;

Sl. No	Description	Category
1.	<p><i>Poultry, Hatchery and Piggery</i></p> <ul style="list-style-type: none"> <li><i>Poultry farms handling more than <b>5,000 birds</b> at a given time in single location shall obtain Consent to Establish (CTE) and Consent to Operate (CTO) Under Water Act, 1974 and Air Act, 1981 from the Board w.e.f. <b>01.01.2023.</b></i></li> <li><i>Till such time Poultry farms handling birds <b>more than 25,000</b> at a given time in single location will have to obtain Consent to Establish (CTE) and Consent to Operate (CTO) Under Water Act, 1974 and Air Act, 1981 from SPCB.</i></li> </ul>	<b>Green - 33</b>

This order will be given immediate effect from the date of issue of this order.

**This office order supersedes the earlier office order vide No. 3999, dtd. 17.03.2021**

Memo No. 3396 /dtd. 04-03-2022 By Email

Copy forwarded to the Member Secretary, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 110032 for information.

*[Signature]*  
 Member Secretary

Memo No. 3397 /dtd. 04-03-2022

Copy along with Environmental Guidelines of Poultry Farm (January, 2022) forwarded to the Additional Chief Secretary, Forest, Environment & Climate Change Dept., Govt. of Odisha for kind information and necessary action.

*[Signature]*  
 Member Secretary

**Encl : As above**



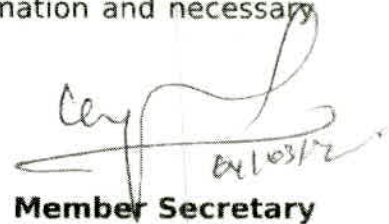
OSPCB-CTO-MISC-0007-2022/2/2022

*[Signature]*  
 Member Secretary

// 2 //

Memo No. 3398 /dtd. 04-03-2022

Copy along with Environmental Guidelines of Poultry Farm (January, 2022) forwarded to the Principal Secretary, Industries Deptt./ MSME Dept./ Animal Husbandry Dept., / Housing and Urban Development Dept./ Health & Family Welfare Deptt./ Agriculture Deptt./ Water Resources Deptt./ F&ARD / Director, Factory and Boilers, Govt. of Odisha for information and necessary action.

**Encl : As above**


04/03/22  
**Member Secretary**

Memo No. 3399 /dtd. 04-03-2022

Copy along with Environmental Guidelines of Poultry Farm (January, 2022) forwarded to all Branch Officers, SPCB, Odisha, Bhubaneswar / Sr. Law Officer-II, SPC Board, Odisha / All Regional Officers, SPCB, Odisha for information and necessary action.

**Encl : As above**

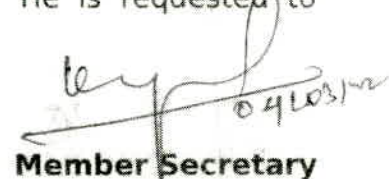

04/03/22  
**Member Secretary**

Memo No. 3400 /dtd. 04-03-2022

Copy along with Environmental Guidelines of Poultry Farm (January, 2022) forwarded to Addl. Chief Env. Engineer, IT Cell, SPC Board, Bhubaneswar for information and necessary action. He is requested to upload the Office order in the website of the Board.

**Encl : As above**





04/03/22  
**Member Secretary**



## STATE POLLUTION CONTROL BOARD, ODISHA

[DEPARTMENT OF FOREST AND ENVIRONMENT, GOVERNMENT OF ODISHA]

Paribesh Bhawan, A/118, Nilakanthanagar, Unit - VIII,  
Bhubaneswar - 751 012, INDIA

No. 7028

Date: 02.05.2023

VII-L-Misc-818

By E-mail

To

All Regional Officers  
SPC Board, Odisha.

Sub: Civil Appeal No.2480/2023 - The Poultry Farmers and Breeders Association vs. Union of India & others.

Sir,

You are aware that as per the direction dtd.10.12.2021 of Hon'ble NGT, PB, New Delhi passed in OA No.320/2021 - Gauri Maulekhi vs. Union of India & Ors., the CPCB has formulated environmental guidelines for poultry farms, January 2022. As per the said directions of the Hon'ble NGT "*Poultry farms handling above 5,000 birds at single location shall also obtain consent to establish (CTE) and consent to operate (CTO) under the Water Act, 1974 and Air Act 1981 from State Pollution Control Board / Pollution Control Committee w.e.f. 01.01.2023*".

In the meantime, the Hon'ble Apex Court vide their order dtd.28.04.2023 as an interim measure has been pleased to stay the aforesaid direction of the Hon'ble NGT until further orders. Copy of the interim order dtd.28.04.2023, referred above is enclosed for your reference. You are requested not to insist the poultry farms handling more than 5,000 birds at a given time in single location to obtain consent to establish / operate from this Board until further orders.

Encl: As above.

Yours faithfully,

  
Member Secretary

Memo No. 7029 / Date: 02.05.2023

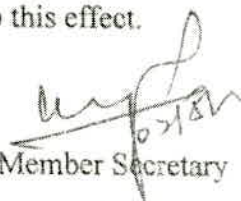
Copy along with copy of enclosure forwarded to Er.B.K.Behera, CEE for information and necessary action. He is requested to please take appropriate steps for reconsideration of the Office Order No.3395/Ind-I-CON-(Misc-1505) dtd.04.03.2022 issued to this effect.

Encl: As above.







  
Member Secretary

ITEM NO.19

COURT NO.5

SECTION XVII

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

Civil Appeal No(s). 2480/2023

THE POULTRY FARMERS AND BREEDERS ASSOCIATION Appellant(s)

VERSUS

UNION OF INDIA &amp; ORS. Respondent(s)

( IA No.69940/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.69938/2023-STAY APPLICATION )

WITH

C.A. No. 2523/2023 (XVII)

( IA No.72401/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.72399/2023-STAY APPLICATION )

Date : 28-04-2023 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE AJAY RASTOGI  
HON'BLE MS. JUSTICE BELA M. TRIVEDIFor Appellant(s) Mr. Mukul Rohatgi, Sr. Adv.  
Mr. Vishal Khattar, Adv.  
Mr. Shekhar Raj Sharma, Adv.  
Ms. Vandana Kapoor, Adv.  
Mr. Jinendra Jain, AORMr. Arijit Prasad, Sr. Adv.  
Mr. Paras Dutta, Adv.  
Mr. Sanjay Kumar Visen, AOR

For Respondent(s)

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

One of the submissions raised for consideration is  
that as per the revised guidelines issued by the  
Central Pollution Control Board (CPCB) in August 2021

Signature Not Verified  
Digitally signed by  
SONIA BHARGAVA  
Date: 2024.04.29  
13:21:24(IST)  
Reason:

followed in January 2022, the Poultry Farms handling birds above 25,000 in a single location have to obtain consent to establish and operate under the Water (Prevention and Control of Pollution), Act 1974/the Air (Prevention and Control of Pollution) Act 1981, from the respective State/Central Board.

However, in the absence of any further guidelines being issued by the Government/competent authority and in the absence of any fact finding report from the experts available on record, the NGT, on its own, under its order impugned has substituted the requirement from above 25,000 to above 5,000 and that was circulated by the Government under its guidelines of January, 2022. Counsel submits that in the absence of any expert report being made available, the order passed by the Tribunal in substituting the guidelines of Government of India needs to be relooked by this Court.

Issue notice, returnable in four weeks.

In the meantime, guidelines of January 2022

"8.0 As per the directions of Hon'ble NGT dated 10.12.2021 (O.A. No. 320/2021 : Gauri Maulekhi Vs. Union of India & Ors., poultry farms handling above 5,000 birds at single location shall also obtain consent to establish (CTE) and consent for operate (CTO) under the Water Act, 1974 & Air Act 1981 from

~~-25-~~Civil Appeal No(s). 2480/2023

State Pollution Control Board/Pollution Control  
Committee w.e.f. 01.01.2023." until further orders,  
shall remain stayed.

(SONIA BHASIN)  
COURT MASTER(SH)

(VIRENDER SINGH)  
BRANCH OFFICER



## Environmental Guidelines for Poultry Farms



**Central Pollution Control Board**  
**(Ministry of Environment, Forest and Climate Change, Govt. of India)**  
**Parivesh Bhawan, East Arjun Nagar**  
**Delhi-110032**

**(January 2022)**

*Handwritten signature*

*Handwritten signature*

*Handwritten signature*

~~SECRET~~

## CONTENT

Particulars		Page no
1.	Background	03
2.	Poultry farming	03
3.	Poultry Farming Process	04
3.1	Breeder Farms	05
3.2	Hatchery Farm	05
3.3	Layer (Egg Production)	05
3.4	Broiler	06
	3.4.1 Deep Litter System	
	3.4.2 Cage System	
4.	Classification of poultry farms	06
5.	Environmental issues & Current practices to address the environmental issues in Poultry Farms	07
	(i) Gaseous emission (NH <sub>3</sub> & H <sub>2</sub> S) and Feed Mill Dust	07
	(ii) Solid Waste	07
	(iii) Waste water generation from cleaning operation	08
	(iv) Other issues	08
6	Environmental Guidelines for Poultry Farms	08
	6.1 Gaseous emission (NH <sub>3</sub> & H <sub>2</sub> S) and Feed Mill Dust	08
	(i) Minimization of odour/gaseous pollution	08
	(ii) Dust from Feed Mills	09
	6.2 Management of solid wastes (Solid Wastes contains Manure/litter, Hatchery Debris and Dead Birds)	09
	(i) Manure handling and disposal	09
	(ii) Hatchery waste	10
	(iii) Dead bird disposal	10
	6.3 Waste water Management	11
	6.4 Other Issues	12
7	Siting criteria	12
8	Regulatory/ Monitoring Mechanism for Poultry Farms	13





## 1.0 Background

Guidelines for Poultry farms were developed in the year 2015, which was applicable to poultry farms handling above 1.0 lac birds. As per CPCB classification of industrial sectors, 'Poultry, Hatchery and Piggery' are categorized into 'Green'.

In the matter of O.A. No. 681 of 2017, Hon'ble NGT, passed the following order on 16<sup>th</sup> September, 2020:

*'...Accordingly we allow this application and direct CPCB to revisit the guidelines for categorizing the poultry farms as Green category and exempting their regulation under Air, Water & EP Act. CPCB may issue fresh appropriate orders within three months and in if no further order is issued, all the State PCBs/PCCs will require enforcement of consent mechanism under the above acts after 01.01.2021 for all Poultry Farms above 5000 birds in the same manner as is being done for farms having more than one lac birds. Till then, even without such consent mechanism, the state PCBs/PCCs may strictly enforce the environmental norms and take appropriate remedial action against the any violation of water, air and soil standards statutorily laid down.'*

Subsequent to the aforesaid order, Hon'ble NGT (PB) in the matter of O.A. No. 320/2021 (Gauri Maulekhi Vs. Union of India &Ors) passed the following order on 10.12.2021

*"...Accordingly, we direct that while the impugned guidelines be immediately enforced, all poultry farms above 5000 birds will also be covered by the said guidelines latest from 1.1.2023. The siting criteria should apply to all consents/renewals hereafter for the above size of the poultry farms. CPCB may issue revised guidelines to all the State PCBs/PCCs in terms of the above order within one month."*

## 2.0 Poultry farming

Poultry farms refers to breeding, hatcheries, layer and broiler farms. Poultry farming is the rearing of domesticated birds such as chickens, turkeys, ducks, goose etc. for the purpose of farming meat or eggs for food. Chickens raised for eggs are usually called laying hens or layers while chickens raised for meat are often called broilers. Chicken are most numerous and popular domesticated poultry species, while other species, e.g. duck, goose form a very small proportion of activities in comparison. Poultry farming in India has witnessed a spectacular growth and transformed itself into a vibrant agri- industry. The leading states having poultry farms are Tamil Nadu, Andhra Pradesh, Telangana, West Bengal followed by Maharashtra, Karnataka, Assam, Haryana, Kerala and Odisha.

As per the 20<sup>th</sup> livestock census carried out by Department of Animal Husbandry & Dairying, Ministry of Fisheries, Animal Husbandry & Dairying, the state-wise number of poultries (birds) are given below:





Sl.No.	States/UTs	Nos of Poultry (birds) in millions
1	Andhra Pradesh	107.863
2	Arunachal Pradesh	1.599
3	Assam	46.712
4	Bihar State	16.525
5	Chhattisgarh	18.711
6	Goa State	0.349
7	Gujarat	21.773
8	Haryana State	46.24
9	Himachal Pradesh	1.341
10	Jammu & Kashmir	7.366
11	Jharkhand	24.832
12	Karnataka State	59.494
13	Kerala State	29.771
14	Madhya Pradesh	16.659
15	Maharashtra	74.297
16	Manipur	5.897
17	Meghalaya	5.379
18	Mizoram	2.047
19	Nagaland	2.838
20	Odisha	27.439
21	Punjab	17.649
22	Rajasthan	14.622
23	Sikkim State	0.580
24	Tamil Nadu	120.781
25	Telangana State	79.999
26	Tripura	4.168
27	Uttar Pradesh	12.515
28	Uttarakhand	5.018
29	West Bengal	77.322
30	Andaman & Nicobar Islands	1.289
31	Chandigarh	0.048
32	Dadra Nagar Haveli	0.089
33	Daman & Diu	0.018
34	Delhi	0.043
35	Lakshadweep	0.226
36	Pondicherry	0.236
<b>Total</b>		<b>851.809</b>

### 3.0 Poultry Farming Process

The poultry farming consist of the following unit operations.

- Breeder Farms (Breeding)

4

- Hatchery Farm (Hatching)
- Layer farm &
- Broilers

### 3.1 Breeder Farms(Breeding)

Breeder farms specialize in the production of fertilized eggs for either broiler or egg production. Specific ratios of male/female breeders are used to ensure the fertility of hatching eggs. In India both layer and broiler breeders are predominantly housed in cages and the fertile eggs are obtained by artificial insemination. The eggs are collected daily, assessed for quality and stored in plastic / pulp trays in a controlled environment before being transferred to the hatchery for the production of commercial chicks. At the end of their productive phase, breeders are removed and sold for meat processing or byproducts.

### 3.2 Hatchery farms (Hatching)

The eggs collected from Breeder farms are hatched at special hatcheries. These are centralized facilities and receive fertilized eggs from its own or several other breeder farms. The eggs are stored for a period of 4 to 10 days before being placed in incubators that control temperature and humidity to stimulate embryonic development. Hatching typically takes 21 days. The chicks are vaccinated, graded for uniform quality and dispatched to destinations for further rearing. The day-old broiler chicks are delivered to broiler farms straight run (un-sexed). Chicks from egg laying stock are gender sorted and the female chicks alone are delivered for egg production while male chicks are killed and disposed-off.

### 3.3 Layer (Egg production)

In the layer farms, egg laying hens are reared for egg production. Typical egg laying cycle starts around 18 weeks age of the bird and continues upto 72–75 weeks of age and thereafter diminished gradually to become uneconomical. Birds less than six months of age are termed as pullets and are raised either on floor or on the cages little away from adult farms located in the same or at different premises. The birds are kept and raised in three different houses based on its age i.e. a) Chick house: 0 to 45 days, b) Grower House: 45 days to 18 weeks and c) Layer House: 18 weeks to 72 to 75 weeks. The birds start laying eggs from 18 weeks onwards.

There are two phases of growing period i.e. brooding and growing phase. The brooding phase extends from day one to three to four weeks depending upon the season of rearing. During this period, the birds are provided extra warmth in an enclosed quarter by means of gas brooders, electric hovers, infra-red bulbs or coal brooders. After this initial period, the birds are moved to growing establishments which are typically open houses. The brooding and growing houses may be deep litter type or cage type. After the completion of the growing phase, the birds are moved to laying cages where they remain there till the end of their laying cycle (72 to 75 weeks of age).

### 3.4 Broiler (Meat Production)

Broiler birds are raised especially for meat production for 40 to 45 days or up to weight gain of 2.5 to 3.0 Kg. Most of broiler birds gain slaughter weight (2.5 kg to 3.0 kg) within 40 to 45 days. Broilers are most commonly reared in deep litter shed, where feed and water is given by hanging feeder and watering. After cleaning of the deep litter shed, rice husk, saw dust, groundnut hulls, wood shavings, and dried leaves bed of 3" thickness is prepared by scratching. Chicks are moved in the shed freely. Depending on the weight of the bird, the birds are sold for slaughtering from 40<sup>th</sup> to 45<sup>th</sup> days.

The rearing of birds is of two types:

#### 3.4.1 Deep Litter System

Birds are kept on litter floor which is covered with different kinds of agro materials like rice husk, saw dust, groundnut hulls, wood shavings and dried leaves etc. depending on their availability. Initially, the depth of the agro material is approx 5 to 6 cm and then topped up by another 5 to 6 cm as the birds grow in size. The birds may remain on this system upto six weeks in case of broilers from where they go for slaughtering. In case of layer, they remain upto 18 weeks of age or may be shifted to cages. The majority of broilers are housed in deep litter sheds. Feed and water are provided manually in small farms and with automatic equipment in large farms.

#### 3.4.2 Cage System

This is widely practiced system for housing commercial layers, breeder layers and of late even broiler breeders. The birds are generally housed in cages erected on raised platforms in open sheds. These cages are arranged in rows. Three or four birds are accommodated in each cage with provision of drinking water and feeding. The water is provided through a nipple fitted to a closed pipe running at head height of the bird. Feed is placed in a trough attached to the front of the cage and distributed often manually or by automation. The droppings of birds slip through perforations instantaneously and are collected on the floor.

## 4.0 Classification of Poultry Farms

Backyard poultry is typically owned by small and marginal farmer and comprises of few birds, largely for self-consumption and very small quantities get commercially sold. The poultry farming practiced by the rural and tribal farmers under free range or backyard or semi-intensive systems is usually referred to as rural poultry farming.

Based on the number of handling of birds, Poultry farms may be classified into three categories.

- Small (5,000-25,000 bird)
- Medium (above 25,000-1,00,000 birds).
- Large (above 1,00,000 birds)

The poultry farms under small category are in un-organized sector run by economically weaker farmers and are of rural background.

### **5.0 Environmental issues & Current practices to address the environmental issues in Poultry Farms**

Environmental nuisance arising from poultry farms is due to the generation of  $\text{NH}_3$  &  $\text{H}_2\text{S}$  gases causing odor, dust from feed mill, storage & management of Solid Waste (Manure, Dead Birds and Hatchery Waste) also causing odour & water from cleaning operations. Breeding of flies and rodents etc. are the other issues in poultry farms.

#### *(i) Gaseous emission ( $\text{NH}_3$ & $\text{H}_2\text{S}$ ) and Feed Mill Dust*

- The gaseous emission viz Ammonia ( $\text{NH}_3$ ) and Hydrogen Sulphide ( $\text{H}_2\text{S}$ ) are emanated from the excreta generated from the birds causes odour. The odour is produced due to anaerobic conditions in the litter occurs due to its storage at one place for longer period. The general practice followed by poultry farms to control odour is by maintaining good ventilation and free flow of air.
- Dust is generated from the feed mill operation during mixing and grinding of various ingredients of feed. The feed mill operations are typically located inside the mill buildings. Dust extraction systems are generally used to collect the dust and to improve the shop floor environment.

#### *(ii) Solid Waste*

Sources of solid waste are (i) Poultry droppings/Manure/Litter (ii) Dead Birds & (iii) Hatchery Waste.

- In case of cage system, excreta are collected just below the bird cages directly on ground, made of stone slabs or concrete or impermeable compacted clay. Litter is collected and kept dry by maintaining good ventilation and free air flow to undergo aerobic composting. The manure is removed once in four to six months & sold to the farmers. In deep litter system, excreta are collected in bed made up of agro residue (rice husk, saw dust, groundnut hulls, wood shavings, and dried leaves) itself. Once in a day or two days the bed is scratched for mixing of litter. Once the chicken is sold for meat, the bed (rice husk, saw dust, groundnut hulls, wood shavings, and dried leaves) is removed once the cycle of 42 to 45 days gets over along with the excreta and sold as

*Beatty*

*7*

*7*

~~83~~

manure. The shed is washed and lime is applied as disinfectant and allows the area for quarantine period.

- Death of the birds in poultry farms is a common phenomenon and their disposal is an issue. Dead birds cause nuisance, odor and aesthetic problems like disease, insect, rodent and predator problems if the birds are not disposed immediately. Dead birds are either burned at relatively high temperatures using different fuels which causing atmospheric pollution and also odour nuisance or buried in the burial pit in the premises.
- During hatching operation, large quantity of solid waste comprising of egg shells, unhatched eggs, dead embryos and chickens and a viscous liquid from eggs etc is generated. This waste is disposed through open burning or through rendering plant.

(iii) *Waste water generation from cleaning operation*

- Water in poultry farms is used for drinking of birds, sprinkling during the summer and for cleaning sheds and equipment in between batch replacement.
- As such there is no process waste water generation from the poultry farming. However, wastewater is generated during cleaning operations. The waste water is collected in holding tank and utilized in gardening in the premises.

(iv) *Other issues:*

- Breeding of flies and rodents, etc. are the other issues in poultry farms

## 6.0 Environmental Guidelines for Poultry Farms farms:

Following are the revised guidelines addressing environmental issues of Poultry Farms.

### 6.1 Gaseous emission (NH<sub>3</sub> & H<sub>2</sub>S) and Feed Mill Dust

(i) *Minimization of odour/gaseous pollution*

- Proper ventilation and free flow of air over manure collection points to keep it dry shall be ensured.
- Manure should be protected from Run-off water and from unwanted pests/insects.
- Well-designed storage facilities should be provided to contain manure /litter.
- Carcasses of dead birds shall be promptly collected on regular basis and disposed appropriately without damaging the environment as per the prescribed methods under section 6.2 (iii) of the guidelines.

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

(ii) *Dust from Feed Mills*

- Feed mill and Go-down should be located on a well elevated ground preferably near the entrance of the farm and isolated from other poultry sheds.
- Dust collector system should be installed to control emissions from mixing and grinding section of the feed mill.
- Workers in the feed mill shall be provided with dust masks to protect them from dust.
- Provision for vehicle tyre dip shall be made at the entrance to remove impurities/dust carried by vehicle tyres;
- Floor of the feed mill and Go-down shall be concrete and raised above the ground level by a minimum of 2 feet.

## 6.2 Management of solid wastes (Solid Wastes contains Manure/litter, Hatchery Debris and Dead Birds)

(i) *Manure handling and disposal*

- Proper ventilation and free flow of air over manure collection points to keep it dry (by blowing dry air over it or by conveying ventilation air through the manure pit) shall be ensured to prevent obnoxious odour in the area.
- Poultry housing shall be ventilated allowing sufficient supply of fresh air to remove humidity, dissipate heat and prevent build-up of gases such as methane, carbon dioxide, ammonia, etc.
- Excreta shall be scratched at least once in two days as needed for mixing of litter and to keep bedding material (rice husk, saw dust, wood shavings etc.) dry in case of deep litter houses the waste material. This waste shall be utilised for composting after completion of the cycle.
- Manure collected under cages on high raised platforms shall be stored for further processing and utilized by using following options:

Sl. No.	Poultry Farms	Methods for Disposal/Utilization of manure
1.	Small Poultry Farms	• Composting
2.	Medium & Large Poultry Farms	• Composting or Biogas production for disposal/utilization of manure/litter • Combination of any of the methods for disposal/utilization of manure/litter
3.	Poultry Farms in Cluster	• Common facilities for Biogas production or Composting or their combination

- Land application of manure to the nutritional requirements of soil and crop shall be balanced.
- The litter / manure storage facilities shall be minimum 2 m above the water table and of adequate size based on type and number of birds handled. Its base should be constructed with stone slabs or concrete or impermeable compacted clay.

- Manure shall be protected from run off water and cover it to avoid dust and odours in storage pits. The dry manure dump shall be covered with permanent roof or with plastic / similar material to prevent air emissions and the precipitation falling on it.
- Mortalities on farm by proper animal care and disease prevention program shall be reduced.
- Proper facilities (Burial Pit/Composting/Incineration) shall be provided for Collection, storage, transport and disposal of dead birds
- Domestic hazardous wastes (vaccines, vials, medicines, syringes, etc.) shall be disposed as per provisions of "Solid Waste Management Rules, 2016".

*Composting of Manure:*

- Proper mixing the waste with a carbon rich material (e.g., paddy straw / husk, wood shavings) should be done in the pits. Carbon to nitrogen ratios of 20-25:1 is usually recommended. Pure manure can also be composted following the procedure and monitoring all parameters. The composting facilities may be designed through expert institutions in the field as per the size of poultry farms.
- Periodic stirring of compost material should be done for its proper mixing.
- Moisture levels should be maintained between 35 to 50%.
- Temperature monitoring should be done to determine composting conditions.

*(ii) Hatchery Waste*

- Efforts shall be made in converting the shells to animal feed to supply as a source of calcium, especially for poultry feeds.
- Extrusion with soya bean meal can be used to make a shell/hatchery meal.
- Un-hatched eggs shall be disposed of by composting or rendering.

*(iii) Dead Birds Disposal*

The dead birds arising from day to day farm activity shall be separated from other live birds promptly and stored in closed containers and disposed off within 24 hours by following any of the disposal methods.

*A) Burial Method:*

- The dead birds arising from day to day farm activity should be separated from other live birds promptly and should be stored in closed containers \ disposed off within 24 hours
- The dead bird burial pit shall be of minimum 3 to 4 m in depth and 0.8 to 1.2 m diameter and this size may vary as per the capacity of poultry farm and shall be located above minimum 3 m from the ground water table.

- The dead bird burial pit shall be provided with a vermin/fly proof cover made up of wooden / metal / concrete having a central operable lid of proper size for day to day dropping of carcasses.
- Carcasses shall be covered by a thin layer of soil (at least 40 cm deep) along with calcium hydroxide.
- When the pit is full, a compacted soil cover of 0.5 m shall be provided with the top of the covered soil well above the ground level.
- The distance between any two burial pits should not be less than 1 m.

#### B) Composting

- The composting facility shall not be located within 300 m from the nearest dwelling and 100 m from any well or water course.
- The capacity of the composting facility shall be sufficient to handle the average mortalities on the farm.
- The roof of the composting facility shall be permanent with concrete bottom.
- The composting facility shall be secured with link mesh all around raised to a height of 1.5 m above the ground level to avoid the predation by straw dogs etc.
- A proper mixture of smaller and larger particle sizes to obtain an optimum air exchange within the mixture and build-up of temperature.
- Moisture content of the composting pile shall be approximately 60%. More than this may result in odour problems and less than this will reduce the efficiency of the composting process.
- Carbon and nitrogen are vital nutrients for the growth and reproduction of bacteria and fungi. The carbon-to-nitrogen ratio shall be in the range of 20:1 and 25:1 for proper composting. This is obtained by carefully balancing the dead bird and carbon sources.
- The optimum temperature for composting is 54 to 66°C which pasteurizes the compost. If temperature falls below 49°C after a week or so, the material should be moved to the secondary stage unit. To facilitate the easy transfer of the first stage material to the secondary stage, the proper designing of the primary stage (first stage) facility is desirable as illustrated in figure 5.5. Failure to do so will result into poor compost. The temperature in the secondary stage unit will begin to raise as beneficial bacterial activity begins and will peak in 5 to 10 days.

### 6.3 Waste water Management

- The waste water generated from the cleaning operations (after each batch removal) shall be collected in appropriate holding tank and put to use in the green belt. Efforts may be made for dry cleaning of the sheds with use of disinfectant so as to avoid use of water.

- Water use and spills from drinking devices shall be reduced by preventing overflow or leakages and using calibrated, well-maintained self-watering devices;
- Improve drainage, reduce standing water and water ditches to control mosquitoes and flies
- Use of pressure pumps, hot water or steam in cleaning activities instead of cold water and plain water scrubs may be encouraged to improve sanitation and reduce the quantities of wash water.

#### 6.4 Other issues

- *Control of Flies:* Proper treatment and disposal of manure, ventilation of sheds, control of temperature, good sanitation, swift repairs of leaks, avoidance of feed spills, prompt removal of broken eggs and dead birds shall be ensured for control of flies in the poultry farms. The farm should have provisions of wire nettings, traps, fly-repellents, insecticides etc.
- *Control of Rodents:* Methods for the control of rodents may include: i) Exclusion ii) Trapping Glue boards iii) Tracking powder iv) rodent proof doors and windows to eliminate rodents/pest infestation.
- As per Bureau of Indian Standards 1374: 2007, on poultry feed specifies that the use of antibiotic growth promoters is not recommended in poultry feed, hence use of antibiotics should not be mixed with feed or administered for non-therapeutic purposes without prescription for diseased birds. ***Regulation for use of antibiotics shall be regulated as per the advisory/directions issued by Department of Animal Husbandry, Dairying and Fisheries and Ministry of Health and the Drug Controller General of India.***

#### 7 Siting Criteria

**New Poultry Farms (Set up after issuance of Guidelines) should preferably be established**

- 500 m from residential zone in order to avoid nuisance caused due to odour & flies
- 100 m from major water course like River, Lakes, canals and drinking water source like wells, summer storage tanks, in order to avoid contamination due to leakages/spillages, if any.
- 100 m from national Highway (NH) and 50 m from State Highway (SH) in order to avoid nuisance caused due to odour & flies.
- 10-15 m from rural roads/internal roads/village pagdandis
- The Poultry sheds should not be located within 10 m from farm boundary for cross ventilation and odour dispersion

~~98~~

## 8.0 Regulatory/ Monitoring Mechanism for Poultry Farms

- SPCBs/PCCs shall upload Environmental Guidelines on their website.
- Guidelines shall be applicable to all the category of Poultry Farms.
- Poultry Farms handling birds above 25,000 at single location will have to obtain consent to establish (CTE) and consent for operate (CTO) under the Water Act, 1974 & Air Act 1981 from State Pollution Control Board/Pollution Control Committee.
- As per the directions of Hon'ble NGT dated 10.12.2021 (O.A. No. 320/2021: Gauri Maulekhi Vs. Union of India & Ors, poultry farms handling above 5,000 birds at single location shall also obtain consent to establish (CTE) and consent for operate (CTO) under the Water Act, 1974 & Air Act 1981 from State Pollution Control Board/Pollution Control Committee w.e.f. 01.01.2023
- The Poultry Farms are categorized under "Green" Category, therefore validity of consent will be 15 yrs.
- Animal Husbandry Department of the State/Districts to assist the poultry farms for implementation of Guidelines.

\*\*\*\*\*





## ତହସିଲଦାରଙ୍କ କାର୍ଯ୍ୟାଳୟ, ରଣପୁର

ଗ୍ରାମ / ପୋଷ୍ଟ / ଥାନା / ବ୍ଲକ - ରଣପୁର, ଜିଲ୍ଲା- ନୟାଗଡ଼, ୭୫୨୦୨୭, ଇ-ମେଲ :- [tahasildar.ranpur@gmail.com](mailto:tahasildar.ranpur@gmail.com)

\*\*\*\*\*

Letter No.4905 /Gen.

Date. 18/ 07 /2024

To

The Additional District Magistrate,  
Nayagarh

Sub: Submission of enquiry report regarding O.A No. 108/2024/EZ filed by Sri Srikanta Dash before Hon'ble NGT, East Zone, Kolkata.

Ref.: Dist. Office M. No. 1218/Dt. 29.06.24 (Revenue Sec.)

Sir,

In inviting a kind reference to the order on the subject cited above, I am to say that the matter was enquired by the Revenue Inspector, Hansara and also the Tahasildar, Ranpur along with the field functionaries i.e. Revenue Supervisor, Amin, Chainman after through verification of the relevant records, map, the team visited the spot on 09.07.2024, 10.07.2024 for demarcation of the following schedule of land in presence of the land owner Sri Swaraj Kumar Mohanty, S/O-Suresh Kumar Mohanty, village Ranpurgarh of Swastik Farms. The point wise enquiry report by R.I, Hansara for the purpose is as follows.

1. Mouza	Khata No.	Plot No.	Area	Kissam
Akhupadar	151/46	312	Ac0.85dec.	Bagayat-II
	151/38	91	AC03.20de	Bagayat-II
	151/24	104	Ac09.05dec	Taila
		106	Ac03.14dec	Bagayat-II
	90/316	110	Ac0.41dec	Taila
		90	Ac0.55dec	Bagayat-II
	154	108	Ac.05.95dec	Bagayat-II
	151/23	107	Ac1.27dec	UnnataJojana Jogya
	151/84	90/335	Ac5.00dec	Taila
	151/72	99,314	Ac2.17dec	Taila
151/56	100	Ac3.22dec	Taila	
			Ac0.88dec	Taila

2. The owner of Swatik Farms has encroached the Govt. land bearing Plot No. 108, AreaAc0.57 out of Ac1.27, Khata No. 154, Kissam- U.J.J of Mouza-Akhupadar.

3. The rest area Ac0.70dec has been used as road for public purpose.

4. This road is connected with the main PWD road with mouza-Lakhpada bearing Plot No. 01, Khata No.175 as continuing road through the private Plot No. 314 of Rangin Mohanty, W/O- Swaraj Kumar Mohanty as R.T. This road is also used by forest officials and other adjoining R.Ts (Enquiry report enclosed for reference).

Further the R.I, Hansara has submitted her report bearing her office letter no. 117 dtd. 24.07.2023 that (i) on Govt. plot no. 66, one asbestos house is constructed of an area Ac0.04 dec and Ac0.16 encroached by planting some trees. (ii) On Govt. plot no.305, Ac0.15 is encroached from total Ac04.95dec. by planting some trees. No construction of poultry farm found and wire fencing. (iii) On Govt. plot 121, Ac0.03 out of Ac0.32dec is encroached by constructing an Iron gate and as road. (iv) Govt. plot no. 305 is far away from Swastik Farm House and not encroached by Swaraj Mohanty.

Land Schedule

Name of the Mouza	Khata No.	Plot No.	Area	Kissam
Akhupadar	154(Rakhita)	305	Ac015dec out of Ac04.95dec	Jungle
		66	Ac0.20dec out of Ac0.45dec	Jungle
	153(Sarbsadharan)	121	Ac0.03dec out of Ac0.32dec	Rasta

Further as per report of the R.I, Hansara vide her office letter no. 104dtd. 03.07.2024 a poultry farm is situated on the plot no. 314,110, & 107, the labour quarters are constructed over the plot no.314,106,104 & small ponds on the plot no. 90 & 91.

This is for favour of your kind information and necessary action.

Encl.: Photo copy of R.I, report and Trace map.

Yours faithfully,

*[Signature]*  
Tahasildar, Ranpur  
Tahasildar, Ranpur

*[Signature]*

*[Signature]*

*[Signature]*

XL

Village - Akhupadar  
 Thana - Ranpur NO 138  
 Tahasil - Ranpur NO 138  
**AKHUPADAR**  
 Dist - Nayagarh  
 Scale 1 inch = 1 mile  
 year 1995-96



Revenue Inspector  
**MANSARA**

Tahasildar  
**AMIN**  
 Ranpur Tahasil

Tahasildar  
**AMIN**  
 Ranpur Tahasil

RO, SP, CB, Baslyan

Tahasildar, Ranpur

Addl. Dist. Magistrate  
**NAYAGARH**

[Handwritten signature]

Letter No:- 117 Date:- 24/7/2024

To,

The Tahasildar Rampur

Sub:- Regarding Demarcation of O.A. Case No - 108/2024-EZ

Ref:- Your Good office Letter NO-4982, Dt. 20/07/2024

Sir, with reference to your kind order and the subject cited above, we the following team members consisting of Revenue Supervisor Rabintra Naik, R.I. Susamma Sahoo, Amin Sudam Charan Behera, Laxman Pradham, Chairman Jaya Prakash Rout, and Biswajit Biswal proceed to Mouza - Akhupadar with forest personnel on dt. 24/07/2024 and demarcated the below mentioned suit land in presence of encroacher of plot NO - 66 and 305 and on demarcating the suit land we found that the above mentioned lands has been encroached by Rajendra Das, S/o - Chaitanya Das, Village - Akhupadar. Partly on Govt plot NO - 66, one asbestos house is constructed of Area - AC - 0.04.00 and AC - 0.16 is encroached by planting some trees (Four Decimal) and AC - 0.15 is encroached by planting some trees and wire fencing. No construction of poultry farm found.

(ii) On Govt plot - 121, AC - 0.03 is encroached by constructing a Iron gate and as road from Swastik Farm House and not encroached by Swastik Mohanty. This is for your kind information and necessary action.

Land Schedule

Mouza - Akhupadar

- (i) Khata No - 154 (Rakhita) Plot NO - 305, AC - 0.15 out of AC - 4.95, KISSAM - Jungle
- (ii) Khata NO - 154 (Rakhita) Plot NO - 66, AC - 0.20 out of AC - 0.45, KISSAM - Jungle
- (iii) Khata NO - 153 (Sarba Sadharan) Plot NO - 121, AC - 0.03 out of AC - 0.32, KISSAM - Rasta

24/07/2024  
Amin Rampur  
Rampur Bazar  
Asst. Tahasildar  
dt. 24/07/2024

Yours Faithfully  
R. I. Susamma Sahoo  
Revenue Supervisor  
Rampur

24/07/2024  
BISWAJIT BISWAL  
Chairman

OFFICE OF THE REVENUE INSPECTOR, HANSARA

Letter NO - 107

Date - 10/7/2024

TO

The Tahasildar, Ranpur

Sub - Regarding demarcation Case No - 74/2024

Ref - Your good office letter No - 4733 Dt - 6/7/2024

Sir,

with reference to your kind order and <sup>the</sup> subject cited above, we the following team members consisting of Revenue Supervisor Rabintra Naik, R.I Susama Sahoo, Amin Sudam charan Behera, Chairman ~~Biswa~~ Pradhan, chairman jayaprakash Rout, and Biswasit Biswal proceeded to mouza-Akhupadar with Forest personnel on Date 9/7/2024 and 10/7/2024 and demarcated the below mentioned suit lands in presence of owners Sri Swaraj Kumar Mohanty, s/o - Suresh Kumar Mohanty, village - Ranpurigach of Swastik farms. on demarcation we found that Swastik farms has encroached the govt plot No-108, Area AC 0.57 out of AC 1.27 khata No-~~108~~ 154, nisam- u.y.J of mouza - Akhupadar. The rest AC 0.70 has been used as road for public purpose. This road is connected with the main PWD road with mouza - Akhupada plot No-1 khata No- 175 as continuing road through the private plot No 314 of Rangin Mohanty, w/o - Swaraj Kumar Mohanty as R-7. This road is also used by forest officials and other adjoining RTs.

This is for your kind information and necessary action.

N:B → The encroached govt land is submitted with sketch map shown in red ink attached here with and other relevant documents.

*[Signature]*  
Forest Officer, Swastik farms

*[Signature]*  
10-07-24  
C.H.  
Chairman

*[Signature]*  
10/07/24  
Ranpur  
Amin Ranpur Tahasildar

*[Signature]*  
10/07/2024  
R.S. Ranpur

*[Signature]*  
10/7/2024  
R.I Hansara

*[Signature]*  
10/7/24

land schedule

- LXI -

<u>Mouza</u>	<u>khata NO</u>	<u>Plot NO</u>	<u>Area</u>	<u>Miscum</u>		<u>khata No</u>	<u>Plot</u>	<u>Miscum</u>	<u>Area</u>
Akhupadur	151/46	312	Ac 0.85	Bagayat II					
	151/38	91	Ac 03.20	Bagayat-I-I					
	151/24	104, 106, 90/316, 110, 90	Ac 19.10		→	151/24	104	Taila	Ac 9.05
	154	108	Ac 1.27	v. y. j		"	106	Bagayat II	Ac 3.34
	151/23	107	Ac 5.00	Taila		"	90/316	Taila	Ac 0.41
	151/24	90/335	Ac 2.17	Taila		"	110	Bagayat II	Ac 0.55
	151/72	99, 314	Ac 3.92	Taila		"	90	Bagayat II	Ac 9.95
	151/56	100	Ac 0.88	Taila			5 plots		Ac 19.10

Biswasjit Biswas  
Chairman

Shera  
Secretary

10/07/2024  
(Amir) K. S. Rao

10/07/24  
Amir Ranpur Tahasil

Somraj  
10/07/2024

R.S. Ranpur  
बरेलु ०७/०७/२०२४  
बरेलु २५/१६

Yours faithfully

Shera  
10/7/2024  
R.I. Hansara

Ranjit Behary Sonnetra

10-07-24  
R.I.