

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 841 OF 2024**

IN THE MATTER OF:

ANUPAM VERMA

.....APPLICANT

VERSUS

STATE OF U.P. & ORS.

.....RESPONDENT(S)

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THROUGH

DATE: 07.10.2024

PLACE: NEW DELHI



**STHAVI ASTHANA
ADVOCATE FOR UPPCB
C1/131 MOTI BAGH, SHANTI PATH,
NEW DELHI-110021
(M): 9711116034
(E): STHAVIASTHANA@GMAIL.COM**

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

Original Application No. 841 of 2024



IN THE MATTER OF:

Anupam Verma

.....Applicant

Versus

State of U.P. & Ors.

.....Respondent(s)

**RESPONSE ON BEHALF OF THE RESPONDENT NO.-2,
UTTAR PRADESH POLLUTION CONTROL BOARD, IN
COMPLIANCE WITH THE ORDER DATED 03.09.2024
PASSED BY THE HON'BLE NATIONAL GREEN
TRIBUNAL, PRINCIPAL BENCH, NEW DELHI**

I, Dr. Umesh Chandra Shukla aged about 50 years S/o Shri P. L. Shukla presently at Lucknow, do hereby solemnly affirm and state as under:

1. That I am Regional Officer of Uttar Pradesh Pollution Control Board (hereinafter "UPPCB"), Lucknow. I say that I am fully conversant with the facts of the case and competent and authorised to swear the present Affidavit.



✓

2. That this Hon'ble Tribunal vide its order dated 03.09.2024 in the captioned matter had issued notice to the Respondents and directed filing of response.
3. That vide its order dated 03.09.2024 this Hon'ble Tribunal has passed the following directions.

.....

4. *Allegations made in the application noted above, in our view give rise to substantial question relating to environment arising out of implementation of Enactments mentioned in Schedule I of NGT Act, 2010. However, before taking any further action in the matter, we find it appropriate to obtain a factual report for which we constitute a joint Committee comprising District Magistrate, Barabanki, UPPCB and a representative of Agriculture Produce Export Development Authority (hereinafter referred to as 'APEDA').*
5. *The aforesaid Committee shall visit the site, collect relevant information and submit factual report within one month.*
6. *District Magistrate, Barabanki shall be the nodal agency for coordination and compliance.*
7. *Looking to the facts and circumstances, we also find it appropriate to implead the following as respondents:*
 1. *State of Uttar Pradesh through Additional Chief Secretary/Principal Secretary, Environment, Forest and Climate Change, 5th Floor, Kendriya Bhawan, Sector H, Sector-A, Aliganj, Lucknow, Uttar Pradesh 260224*
 2. *Uttar Pradesh Pollution Control Board through Member Secretary, Building No. TC-12V, Vibhuti Khand, Gomti Nagar Lucknow-226 010*
 3. *Chairman of Agriculture Produce Export Development Authority, 3rd Floor, NCUI Building 3,*



(Signature)

Siri Institutional Area, August Kranti Marg, opp. Asiad Village, New Delhi, Delhi 110016

4. *M/s Amroon Foods Private Limited, Barabanki, Amarsanda, Uttar Pradesh 225302*
 8. *Office shall issue notices to respondents 1 to 3 and notice for respondent 4 shall be served through District Magistrate, Barabanki who shall submit compliance report of service within two weeks.*
 9. *Respondent 4 may file its response within 15 days after receipt of notice. Other respondents may also file their reply/response within two weeks after receipt of notice. The responses shall be filed by way of affidavits.*
 10. *Report shall be submitted by the said Committee by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF after visiting affected areas and collecting relevant information.*
4. That in compliance with the order dated 03.09.2024 the Joint Committee comprising the Regional Officer, UPPCB, District Magistrate, Barabanki and D.G.M & Regional Head, APEDA, Varanasi has carried the inspection of Respondent No.-4, M/s Amroon Foods Private Limited, Barabanki, Amarsanda, Uttar Pradesh on 19.09.2024. A copy of the Joint Committee Report dated 19.09.2024 is being attached herewith as **Annexure No-R2/1**.
5. That during the inspection dated 19.09.2024 the Joint Committee has collected the sample from the Inlet and Outlet of the Effluent Treatment Plant (ETP) and also from the



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upstream and downstream of the Reth River and sent the sample to the authorized laboratory of the UPPCB. After analysis the sample collected are found within a prescribed standard as laid down. The copy of Analysis Reports is collectively being attached herewith as **Annexure No.-R2/2.**

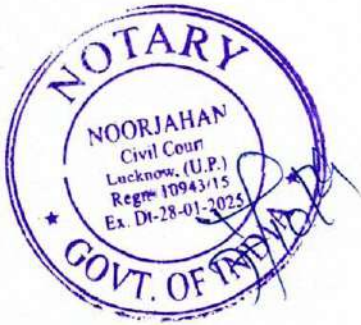
6. That the Respondent No. 4 has obtained Consent under Section 21/22 of the Air (Prevention and Control of Pollution) Act, 1981 from UPPCB and this consent is valid for the period from 01/01/2020 to 31/12/2024. A copy of the Consent order dated 20.12.2019 is being attached herewith **Annexure No.-R2/3.**
7. That the Respondent No. 4 has obtained Consent under Section 25/26 of The Water (Prevention and control of Pollution) Act, 1974 and this consent is valid for the period from 01/01/2020 to 31/12/2024. A copy of the Consent order dated 17.12.2019 is being attached herewith **Annexure No.-R2/4.**
8. That furthermore, in pursuance of the order dated 03.09.2024 passed by this Hon'ble Tribunal a notice has been served upon Respondent No.-4, M/s Fair Export India Pvt. Ltd., Agasam, Kursi Road, District-Barabanki (earlier called as M/s Amroon Foods Private Limited) vide letter dated 13.09.2024 through Speed Post. Furthermore, the copy of notice has also been



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served upon Respondent No.-4, by hand on 17.09.2024. A copy of letter dated 13.09.2024 alongwith postal receipt dated 14.09.2024 and receiving dated 17.09.2024 are being attached herewith Annexure No.-R2/5, Annexure No.-R2/6 and Annexure No.-R2/7 respectively.

9. That it is pertinent to mention that in compliance with the directions issued by the Hon'ble Supreme Court in Writ Petition (C) No.330 of 2001 (Common Cause Vs. Union of India & Ors.), Writ Petition No. 44 of 2004, Contempt Petition No. 124 of 2015 and connected Writ Petition (C) No. 309 of 2003 (Laxmi Narain Modi Vs. Union of India and Ors.), the State Government had issued the Government Order dated 07.07.2017 containing a 24 point compendium which all slaughterhouses have to comply with. The same was reiterated by the Lucknow Bench of the Hon'ble High Court of Allahabad vide order dated 31.05.2023 in WRIT - C No. - 4368 of 2022. A copy of the Government Order dated 07.07.2017 is being attached herewith Annexure No.-R2/8 and a copy of the order dated 31.05.2023 passed by the Lucknow Bench of the Hon'ble High Court of Allahabad in WRIT - C



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No. - 4368 of 2022 is being attached herewith as **Annexure No.-R2/9.**

10. That the Respondent No. 4 was inspected on 02.05.2024 to ascertain the status of compliance with the aforementioned 24 point compendium. The inspection report regarding compliance with the 24 point compendium is being attached herewith **Annexure No.-R2/10.**

11. That further it is also worthwhile to mention here that on 25.09.2024 the applicant has moved a representation before the District Magistrate, Barabanki. Local villagers have also given statements with regard to the Respondent No. 4. The copy of the representation dated 25.09.2024 is being attached herewith **Annexure No.-R2/11** to this response and the statements of local villagers are being attached herewith **Annexure No.-R2/12.**

12. That the above response of Uttar Pradesh Pollution Control Board is submitted before Hon'ble Tribunal for kind perusal and consideration.

EE



DEPONENT



VERIFICATION:

Verified at Lucknow this 7th day of October, 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom.


DEPONENT

Sworn and Verified
before me

NOORJAHAN
Advocate & Notary
Civil Court, Lucknow
Registration No. 10943/15

I know & identify the deponent / Executed
who has signed / put his T.I. before me


S. J. Iqbal Advocate
Reg. No. 6043/1996
Adv Lucknow



प्रेषक,

जिलाधिकारी,
बाराबंकी।

सेवा में,

रजिस्ट्रार जनरल,
प्रिसिपल बेंच,
मा० राष्ट्रीय हरित अधिकरण,
नई दिल्ली।

संख्या: 2510/ए०जे०ए०-2/जॉच आख्या-2024

दिनांक: 05 अक्टूबर, 2024

विषय: मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ०ए० संख्या-841/2024 अनुपम वर्मा बनाम स्टेट आफ यू०पी० व अन्य में पारित आदेश दिनांक-03.09.2024 के अनुपालन के सम्बन्ध में।

महोदय,

कृपया उपर्युक्त विषय के सम्बन्ध में मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ०ए० संख्या-841/2024 अनुपम वर्मा बनाम स्टेट आफ यू०पी० व अन्य में पारित आदेश दिनांक-03.09.2024 अन्तर्गत गठित की गई समिति द्वारा ईकाई में० अमरुन फूड्स प्रा०लि०(स्लाटर हाउस) अगासन्ड रोड कुर्सी जनपद बाराबंकी की जॉच कर जॉच आख्या उपलब्ध कराये जाने की अपेक्षा की गई है।

मा० अधिकरण द्वारा पारित आदेश दिनांक-03.09.2024 के अनुपाल में अधोहस्ताक्षरी की अध्यक्षता में गठित समिति द्वारा उक्त ईकाई का निरीक्षण दिनांक-19.09.2024 को किया गया। निरीक्षण के उपरान्त संयुक्त समिति की जॉच आख्या दिनांकित-03.10.2024 समस्त अभिलेखों सहित संलग्न कर प्रेषित है।

संलग्नक-यथोक्त।

भवदीय,

(सत्येन्द्र कुमार)
जिलामजिस्ट्रेट,
बाराबंकी।

प्रतिलिपि:- निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

- 1-डा० सी०बी० सिंह, डी०जी०एम० एण्ड रिजनल हेड, ए०पी०ई०डी०ए० फैशिलिटेशन सेण्टर बड़ लालपुर, वाराणसी-221003(उ०प्र०)।
- 2-क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ।



5/10/24
जिलामजिस्ट्रेट,
बाराबंकी।

माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ०ए० संख्या-841/2024 अनुपम वर्मा बनाम स्टेट आफ यू०पी० व अन्य में पारित आदेश दिनांक 03/09/2024 के अनुपालन में गठित समिति द्वारा इकाई मै० फेयर एक्सपोर्टस (इण्डिया) प्रा०लि० (पुराना नाम-मैसर्स अमरून फूड्स प्रा०लि०), अगासन रोड, कुर्सी, बाराबंकी की निरीक्षण आख्या:-

कृपया उपरोक्त विषयक माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ०ए० संख्या-841/2024 अनुपम वर्मा बनाम स्टेट आफ यू०पी० व अन्य में पारित आदेश दिनांक 03/09/2024 के अनुपालन में निम्न रूप से समिति गठित की गयी है:-

1. जिलाधिकारी, बाराबंकी।
2. डी०जी०एम० एण्ड रिजनल हेड ए०पी०ई०डी०ए०, वाराणसी।
3. क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ।

उपरोक्त गठित समिति द्वारा माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली के निर्देशों के क्रम में दिनांक 19/09/2024 को इकाई मै० फेयर एक्सपोर्टस (इण्डिया) प्रा०लि० (पुराना नाम-मैसर्स अमरून फूड्स प्रा०लि०), अगासन रोड, कुर्सी, बाराबंकी का निरीक्षण किया गया। निरीक्षण के समय उद्योग संचालित पाया गया तथा उद्योग प्रतिनिधि के रूप में श्री मरून मिराजुद्दीन (आपरेशन मैनेजर) एवं अन्य प्रतिनिधि उपस्थित थे। निरीक्षण के समय पाये गये तथ्य निम्नवत् है:-

1. उद्योग द्वारा पशुवधशाला में 750 भैंस/भैंसा एवं 750 भेड़/बकरा प्रतिदिन का वध करके 80 मि०टन/दिन फोजन मीट का उत्पादन किया जाता है। पूर्व में राज्य बोर्ड द्वारा पत्रांक सं०-एफ-40472/सी-5/एनओसी/463/2008/11 दिनांक के माध्यम से उक्त इकाई को 750 भैंस भैंसा/दिन व 750 भेड़/बकरा प्रतिदिन का वध कर फोजन मीट के उत्पादन हेतु सशर्त अनापत्ति प्रमाण पत्र निर्गत थी।
2. उद्योग को बोर्ड के पत्रांक सं०-72805/UPPCB/Lucknow(UPPCBRO)/CTO/air/BARABANKI/2019 दिनांक 20/12/2019 द्वारा 4.5 टी०पी०एच० ऑयल फायर्ड ब्यायलर, 6.0 टी०पी०एच० राइस हस्क फायर्ड ब्यायलर एवं 500X3 कंवीए क्षमता हेतु सहमति वायु एवं पत्रांक संख्या-72815/UPPCB/Lucknow (UPPCBRO)/CTO/water/BARABANKI /2019 दिनांक 17/12/2019 द्वारा 800 किली०/दिन क्षमता के उत्प्रवाह शुद्धीकरण संयंत्र तथा 35 केएलडी क्षमता के घरेलू बहिश्चाव संयंत्र सहमति जल निर्गत किया गया है, जिसकी वैधता अवधि दिनांक 31/12/2024 तक है (संलग्नक-1)।
3. अग्रतर इकाई को पूर्व में स्थापित 6.0 टी०पी०एच० एवं 4.0 टी०पी०एच० क्षमता के ब्यायलर के अतिरिक्त 8.0 टी०पी०एच० क्षमता का 01 नग राइस हस्क फायर्ड ब्यायलर हेतु पत्रांक संख्या-119599/UPPCB/ Lucknow(UPPCBRO) /CTE/BARABANKI /2021 दिनांक 11/05/2021 के माध्यम से स्थापनार्थ सहमति एवं आनलाइन सन्दर्भ संख्या-143128/UPPCB/Lucknow (UPPCBRO)/CTO /air/BARABANKI/2021 दिनांक 23/12/2021 एवं आनलाइन सन्दर्भ संख्या-143131/UPPCB/Lucknow(UPPCBRO)/CTO/water/BARABANKI/2021 दिनांक 23/12/2021 के माध्यम से सहमति वायु एवं जल दिनांक 31/12/2024 तक निर्गत है (संलग्नक-2)।
4. इकाई में स्थापित ई०टी०पी० का निरीक्षण/सर्वेक्षण किया गया। निरीक्षण के दौरान लिये गये फोटोग्राफ निम्नवत् है:-

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कमश:- 2



5. निरीक्षण के समय उद्योग में 800 किली०/दिन क्षमता का स्थापित उत्प्रवाह शुद्धीकरण संयंत्र संतोषजनक रूप से संचालित पाया गया। इकाई में जल की आपूर्ति हेतु 10 हार्सपावर क्षमता के 02 नग टयूबवेल स्थापित है। जल का प्रयोग कूलिंग टावर, ब्यायलर, वाशिंग आदि में किया जाता है। प्रक्रिया से जनित उत्प्रवाह के शोधन हेतु स्थापित उत्प्रवाह शुद्धीकरण संयंत्र की प्रमुख इकाइया-बार स्क्रीन, इक्वलाइजेशन टैंक, रोटरी ड्रम फिल्टर, एरियेशन टैंक 01 एवं 02, क्लेरीफायर प्रथम एवं द्वितीय, डिफियूजन टैंक, पालिशिंग टैंक, स्लज ड्राइंग बेड इत्यादि इकाइया स्थापित है। निरीक्षण के समय ई०टी०पी० के आउटलेट से जनित उत्प्रवाह का नमूना एकत्र कर राज्य बोर्ड की केन्द्रीय प्रयोगशाला में जमा कराया गया, प्राप्त विश्लेषण आख्या दिनांक 27/09/2024 के अनुसार जनित उत्प्रवाह में इंगित प्रचालकों की मात्रा मानको के अनुरूप है, जिनका विवरण निम्नवत् है: (संलग्नक-3)

| क्रम सं० | नमूना एकत्रण स्थल | नमूना एकत्रण की तिथि | प्रचालक की मात्रा | | | | |
|----------|--------------------|----------------------|-------------------|-------------------|----------------------|----------------------|----------------------------|
| | | | पी०एच० | एस०एस मिग्रा०/ली० | बी०ओ०डी० मिग्रा०/ली० | सी०ओ०डी० मिग्रा०/ली० | आयल एण्ड ग्रीस मिग्रा०/ली० |
| 1 | इनलेट ई०टी०पी० आफ | 19/09/2024 | 7.46 | 162.0 | 248.0 | 964.0 | 19.4 |
| 2 | आउटलेट ई०टी०पी० आफ | 19/09/2024 | 7.84 | 44.0 | 26.0 | 172.0 | 6.8 |

6. इकाई में स्थापित ई०टी०पी० के आउटलेट पर ओ०सी०ई०एम०एस० स्थापित है, जो सी०पी०सी०बी० एवं राज्य बोर्ड के सर्वर से लिंक है, जिसका अनुश्रवण नियमित रूप से किया जाता है।
7. निरीक्षण के समय इकाई परिसर से बाहर किसी भी प्रकार का अशोधित उत्प्रवाह निस्तारित होता नहीं पाया गया।
8. प्लांट के विस्तृत निरीक्षण के उपरान्त प्लांट के सन्निकट प्रवाहित रेट नदी का भी स्थलीय निरीक्षण किया गया। निरीक्षण के समय रेट नदी के अपस्ट्रीम एवं डाउनस्ट्रीम का जल नमूना एकत्रित कर विश्लेषण हेतु राज्य बोर्ड की केन्द्रीय प्रयोगशाला में जमा कराया गया। प्राप्त विश्लेषण आख्या दिनांक 27/09/2024 के अनुसार नदी के जल नमूने में विश्लेषित प्रचालकों का विवरण निम्नवत् है (संलग्नक-4)।

क्रमशः-3

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| क्रम सं० | नमूना एकत्रण स्थल | नमूना एकत्रण की तिथि | प्रचालक की मात्रा | | | | | | |
|-------------|---|-------------------------|-------------------|------------|--------------------------|------------------------------|------------------------------|-----------------------------|-----------------------------|
| | | | कलर (हेजन्) | पी० एस० | डी०आ० मिग्रा०/ ली० | टी०एस०एस० मिग्रा०/ ली० | टी०डी०एस० मिग्रा०/ ली० | वी०आ०डी० मिग्रा०/ ली० | सी०आ०डी० मिग्रा०/ ली० |
| 1 | बाराबंकी में रेठ नदी फायर एक्सपोर्ट प्रा०लि० के द्वयम प्राइमर के मिलन में ग्रहण | 19/09/2024 | 30 | 7.32 | 3.81 | 48.0 | 230 | 5.4 | 32.4 |
| 2 | बाराबंकी में रेठ नदी फायर एक्सपोर्ट प्रा०लि० के द्वयम प्राइमर के मिलन के बाद | 19/09/2024 | 30 | 7.28 | 3.64 | 54.0 | 242 | 6.8 | 39.2 |



(रेठ नदी, निकट अगासन रोड, कुर्सी, बाराबंकी)

9. उद्योग द्वारा रण्डरिंग प्लाण्ट एवं ब्लड मील प्लाण्ट में वाष्पपूर्ति हेतु 06 टन/घण्टा वाष्प जनन क्षमता एवं 08 टन/घण्टा का राइस हस्क फायर्ड ब्वायलर स्थापित है। उक्त ब्वायलरों पर वायु प्रदूषण नियंत्रण हेतु मल्टी साइक्लोन डस्ट कलेक्टर तथा भूतल से 30 मीटर ऊँची चिमनी स्थापित है। अग्रेतर उद्योग में 4.5 टन/घण्टा (स्टैंड वाई) वाष्प जनन क्षमता का आयल फायर्ड ब्वायलर स्थापित है जिससे सम्बद्ध चिमनी की ऊँचाई लगभग 30 मीटर है। उक्त आयल फायर्ड ब्वायलर में ईंधन के रूप में डीजल का प्रयोग किया जाता है। उद्योग में एकास्टिक एनक्लोजर युक्त 500 कैबीए क्षमता का 03 नग डी०जी० सेट स्थापित है, जिससे संलग्न चिमनी की ऊँचाई भूतल से लगभग 12 मी० है।

कमश:-4


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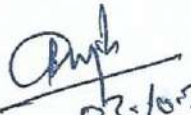
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10. उद्योग में वर्तमान में पशुवध के परिणामस्वरूप जनित होने वाले सालिड वेस्ट के निस्तारण हेतु रेण्डरिंग प्लाण्ट एवम पशुओं के वध से जनित होने वाले रक्त के निस्तारण हेतु ब्लड मील प्लाण्ट स्थापित एवं संचालित पाये गये।
11. उद्योग में रेण्डरिंग प्रक्रिया से जनित होने वाले दुर्गन्ध के निस्तारण हेतु वेट स्कबर सिस्टम व बायो फिल्टर स्थापित एवं क्रियाशील है।
12. माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ0ए0 संख्या-841/2024 अनुपम वर्मा बनाम स्टेट आफ यू0पी0 व अन्य में पारित आदेश दिनांक 03/09/2024 के अनुपालन में कार्यालय जिलाधिकारी, बाराबंकी के पत्र संख्या-997/रिट याचिका-244/2024 दिनांक 13/09/2024 के माध्यम से इकाई को पंजीकृत डाक से दिनांक 14/09/2024 एवं व्यक्तिगत रूप से दिनांक 17/09/2024 को उक्त सन्दर्भित ओ0ए0 की प्रति प्राप्त करायी गयी है (संलग्नक-5)।
13. माननीय उच्चतम न्यायालय द्वारा रिट याचिका 309/2003 लक्ष्मी नारायण मोदी बनाम यूनियन आफ इण्डिया व अन्य में पारित आदेश दिनांक 17/02/2017 द्वारा पशुवधशालाओं के संचालन हेतु 24 प्वाइण्ट निर्धारित किये गये हैं, जिसके परिप्रेक्ष्य में जिला स्तरीय समिति द्वारा दिनांक 02/05/2024 को सन्दर्भित इकाई का निरीक्षण किया गया था। जिसकी आख्या एवं विवरण संलग्न है (संलग्नक-6)।
14. इकाई के निरीक्षण दिनांक 19/09/2024 के दौरान के ग्राम पंचायत गुग्गौर के प्रधान एवं अन्य स्थानीय लोगों के बयान लिये गये, जिनके द्वारा इकाई के सम्बन्ध में किसी भी प्रकार का कोई भी उत्प्रावह व अन्य अपशिष्ट को परिसर से बाहर निस्तारित किये जाने से नकारा गया। निरीक्षण के समय लिये गये बयान की प्रति संलग्न है (संलग्नक-7)।

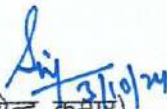
तदानुसार माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ0ए0 संख्या-841/2024 अनुपम वर्मा बनाम स्टेट आफ यू0पी0 व अन्य में पारित आदेश दिनांक 03/09/2024 के निर्देशों के क्रम में उपरोक्त संयुक्त समिति द्वारा किये गये इकाई के निरीक्षण, संकलित की गयी सूचनाएं, स्थानीय लागों के लिये गये बयान, रेठ नदी का स्थलीय निरीक्षण, संकलित जल नमूनों की लैब टेस्ट रिपोर्ट के अनुसार विस्तृत तथ्यात्मक आख्या समस्त संलग्नकों सहित अग्रिम कार्यवाही हेतु सादर प्रस्तुत है।


03/10/24

(डा0 उर्मेश चन्द्र शुक्ला)
क्षेत्रीय अधिकारी,
उ0प्र0 प्रदूषण नियंत्रण बोर्ड,
लखनऊ


03/10/24

(डा0 सी0बी0 सिंह)
डी0जी0एम0 एण्ड रिजनल हेड,
ए0पी0ई0डी0ए0 फैशिलिटेशन
सेण्टर, बड़ा लालपुर, वाराणसी


31/09/24

(सत्येन्द्र कुमार)
जिलाधिकारी,
बाराबंकी



reg ngt report

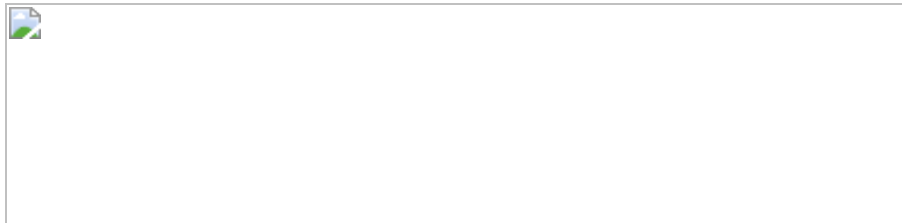
1 message

DM Barabanki <dmbab@nic.in>

Sat, 5 Oct 2024 at 6:17 pm

To: Consultant Judicial-NGT(P.B.) <judicial-ngt@gov.in>

Cc: rolucknow@uppcb.in



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CENTRAL LABORATORY
UTTAR PRADESH POLLUTION CONTROL BOARD
 Building. No TC-12V Vibhuti Khand, Gomti Nagar, Lucknow-226010



TEST REPORT: WASTE WATER LABORATORY

Ref No: 28279609/Lucknow/2024

Date: 27/09/2024

- 1- Name of Industry: Fair Exports (India) Pvt Ltd, Kursi Road
- 2- Address of Industry: Kursi Road
- 3- District: Barabanki
- 4- Description about sampling point: Inlet of ETP
- 5- Type of Sample (Grab/Composite/Integrated): Grab
- 6- Sample Collected By: Dr U C Shukla RO & Himanshoo Sonkar, ASO, Vivek Mishra LA
- 7- Colour and Odour: - -
- 8- Quantity and Packing: 2 lit plastic jerrycan & 1 lit glass bottle
- 9- Date of Sample Collection: 19/09/2024
- 10- Analysis Indented by: RO Lucknow
- 11- Date of sample receipt in Lab: 20/09/2024

| Parameter/Method Name | Unit | Results | Standard | Detection Range |
|--|------|---------|----------|------------------|
| pH, APHA 24th Ed. 4500B: 2023 | - | 7.46 | - | 02-12 |
| *Oil_Grease | mg/l | 19.4 | - | - |
| Suspended Solids, APHA 24th Ed. 2540 D Total Suspended Solids dried at 103-105 °C 2023 | mg/l | 162.0 | - | 10-20000 mg/l |
| BOD, APHA 24th Ed. 3 day 27 °C IS 3025 (Part 44): 1993 Bio 2023 | mg/l | 248.0 | - | 1.0 -50000 mg/l |
| COD, APHA 24th Ed. 5220 B Open Reflux Method 2023 | mg/l | 964.0 | - | 5.0 -100000 mg/l |

Reference- (1) General Standards for discharge of environmental pollutants are as part-A Effluent (Schedule-VI). The Environment (Protection) Rules, 1986 source: www.cpcb.nic.in/GeneralStandards.pdf. Besides these standards, refer EPA standards for specific purpose

*Non-NABL Parameters.

Note : 1 The results in the Test Report relate only to the items tested; 2. The report shall not be reproduced-except in full, without the written permission of laboratory. 3. The test report pertains to the sample as received in Lab.

Remark: NA

Analysed by-
[Arti Gupta(SA)]

Authorized by
SAMRENDRA SINGH
Samrendra Singh (ASO)

Digitally signed by
SAMRENDRA SINGH
Date: 2024.09.27 11:25:22
+05'30'

RAM
GOPAL
Chief Environmental Officer
Central Laboratory

Digitally signed
by RAM GOPAL
Date: 2024.09.27
11:25:37 +05'30'



179
CENTRAL LABORATORY
UTTAR PRADESH POLLUTION CONTROL BOARD
 Building. No TC-12V Vibhuti Khand, Gomti Nagar, Lucknow-226010



TEST REPORT: WASTE WATER LABORATORY

Ref No: 28279626/Lucknow/2024

Date: 27/09/2024

- 1- Name of Industry: Fair Exports (India) Pvt Ltd, Kursi Road
- 2- Address of Industry: Kursi Road
- 3- District: Barabanki
- 4- Description about sampling point: Outlet of ETP
- 5- Type of Sample (Grab/Composite/Integrated): Grab
- 6- Sample Collected By: Dr U C Shukla RO & Himanshoo Sonkar, ASO, Vivek Mishra LA
- 7- Colour and Odour: - -
- 8- Quantity and Packing: 2 lit plastic jerrycan & 1 lit glass bottle
- 9- Date of Sample Collection: 19/09/2024
- 10- Analysis Indented by: RO Lucknow
- 11- Date of sample receipt in Lab: 20/09/2024

| Parameter/Method Name | Unit | Results | Standard | Detection Range |
|--|------|---------|----------|------------------|
| pH, APHA 24th Ed. 4500B: 2023 | - | 7.84 | 6.5-8.5 | 02-12 |
| *Oil_Grease | mg/l | 6.8 | 10 | - |
| Suspended Solids, APHA 24th Ed. 2540 D Total Suspended Solids dried at 103-105 °C 2023 | mg/l | 44.0 | 50 | 10-20000 mg/l |
| BOD, APHA 24th Ed. 3 day 27 °C IS 3025 (Part 44): 1993 Bio 2023 | mg/l | 26.0 | 30 | 1.0 -50000 mg/l |
| COD, APHA 24th Ed. 5220 B Open Reflux Method 2023 | mg/l | 172.0 | 250 | 5.0 -100000 mg/l |

Reference- (1) General Standards for discharge of environmental pollutants are as part-A Effluent (Schedule-VI). The Environment (Protection) Rules, 1986 source: www.epcb.nic.in/GeneralStandards.pdf. Besides these standards, refer EPA standards for specific purpose

*Non-NABL Parameters.

Note : 1 The results in the Test Report relate only to the items tested; 2. The report shall not be reproduced-except in full, without the written permission of laboratory; 3. The test report pertains to the sample as received in Lab.

Remark: NA

Analysed by-
[Arti Gupta(SA)]

Authorized by
SAMRENDRA SINGH
Samrendra Singh (ASO)
Digitally signed by SAMRENDRA SINGH
Date: 2024.09.27 11:26:58 +05'30'

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Chief Environmental Officer
Central Laboratory
Digitally signed by RAM GOPAL
Date: 2024.09.27 11:27:10 +05'30'



180

CENTRAL LABORATORY
UTTAR PRADESH POLLUTION CONTROL BOARD
 Building. No TC-12V Vibhuti Khand, Gomti Nagar, Lucknow-226010



TEST REPORT: WATER LABORATORY(SURFACE WATER)

Ref no-28280952/CENTRAL/2024

Date:27/09/2024

- 1- **Sample Location:** U/S Reth river before meeting Hume pipe of Fair export Pvt Ltd.
- 2- **District:** Barabanki
- 3- **Address:** NEAR FAIR EXPORT INDIA PVT. LTD. KURSI ROAD, BARABANKI
- 4- **Sample Source:** River
- 5- **Type of sample :** Surface Water
- 6- **Sample Collected By :** Vivek Kumar Mishra, LA, Himanshoo Sonkar ASO
- 7- **Odour :** None
- 8- **Quantity and Packing :** 2 Lit. plastic Jerrycan, 1 DO Glass Bottle, 1 MPN Glass Bottle
- 9- **Date of Sample Collection :** 19/09/2024
- 10- **Analysis Indented by :** RO Lucknow
- 11- **Date of sample receipt in Lab :** 20/09/2024

| Parameter | Unit | Results | Detection Range |
|--|------------|---------|----------------------------|
| pH, APHA24th Ed.4500-B: 2023 | - | 7.32 | 02-12 |
| Colour, APHA 24th Ed. 2120B: 2023 | Hazen | 30 | 5-10000 Hazen |
| Suspended Solids , APHA 24th Ed. 2540 D Total Suspended Solids dried at 103-105 °C 2023 | mg/l | 48.0 | 5.0 -10000 mg/l |
| Dissolved Solids, APHA 24th Ed. 2540 °C Total Dissolved Solids dried at 180 °C 2023 | mg/l | 230.0 | 5.0 -10000 mg/l |
| Total Coliform, APHA 9221 24th Ed. : 2023 | MPN/100 ml | 54000 | <1.8 MPN/100 ml & above |
| Fecal Coliform, APHA 9221 24th Ed. : 2023 | MPN/100 ml | 24000 | <1.8 MPN/100 ml & above |
| BOD, APHA 24th Ed. 3 day 27 °C IS 3025 (Part 44): 1993 Bio 2023 | mg/l | 5.4 | 1.0 -1000 mg/l |
| COD, APHA 24th Ed. 5220 B Open Reflux Method 2023 | mg/l | 32.4 | 4.0 -1000 mg/l |
| D.O. , APHA 24th Ed. 4500-OB Iodometric Method 2023 | mg/l | 3.81 | 0.2-14.0 mg/l |

*Non-NABL Parameters.

Note : 1 The results in the Test Report relate only to the items tested; 2. The report shall not be reproduced-except in full, without the written permission of laboratory; 3. The test report pertains to the sample as received in Lab.

Remark:* - NA

Analysed by
[Arti Gupta(SA), Iti Singh (JRF)]

Authorized by
Digitally signed by Reeta
Keshav
Date: 2024.09.27 11:46:25
Reeta Keshav (ASO)

RAM
GOPAL
Chief Environmental Officer
Central Laboratory

Digitally signed by
RAM GOPAL
Date: 2024.09.27
11:46:42 +05'30'



181

CENTRAL LABORATORY
UTTAR PRADESH POLLUTION CONTROL BOARD
 Building. No TC-12V Vibhuti Khand, Gomti Nagar, Lucknow-226010



TEST REPORT: WATER LABORATORY(SURFACE WATER)

Ref no-28281242/CENTRAL/2024

Date:27/09/2024

- 1- **Sample Location:** D/S Reth river after meeting Humepipe of Fair export Pvt Ltd.
- 2- **District:** Barabanki
- 3- **Address:** NEAR FAIR EXPORT INDIA PVT. LTD. KURSI ROAD, BARABANKI
- 4- **Sample Source:** River
- 5- **Type of sample :** Surface Water
- 6- **Sample Collected By :** Vivek Kumar Mishra, LA, Himanshoo Sonkar ASO
- 7- **Odour :** None
- 8- **Quantity and Packing :** 2 Lit. plastic Jerrycan, 1 DO Glass Bottle, 1 MPN Glass Bottle
- 9- **Date of Sample Collection :** 19/09/2024
- 10- **Analysis Indented by :** RO Lucknow
- 11- **Date of sample receipt in Lab :** 20/09/2024

| Parameter | Unit | Results | Detection Range |
|--|------------|---------|----------------------------|
| pH, APHA24th Ed.4500-B: 2023 | - | 7.28 | 02-12 |
| Colour, APHA 24th Ed. 2120B: 2023 | Hazen | 30 | 5-10000 Hazen |
| Suspended Solids , APHA 24th Ed. 2540 D Total Suspended Solids dried at 103-105 °C 2023 | mg/l | 54.0 | 5.0 -10000 mg/l |
| Dissolved Solids, APHA 24th Ed. 2540 °C Total Dissolved Solids dried at 180 °C 2023 | mg/l | 242.0 | 5.0 -10000 mg/l |
| Total Coliform, APHA 9221 24th Ed. : 2023 | MPN/100 ml | 92000 | <1.8 MPN/100 ml & above |
| Fecal Coliform, APHA 9221 24th Ed. : 2023 | MPN/100 ml | 35000 | <1.8 MPN/100 ml & above |
| BOD, APHA 24th Ed. 3 day 27 °C IS 3025 (Part 44): 1993 Bio 2023 | mg/l | 6.8 | 1.0 -1000 mg/l |
| COD, APHA 24th Ed. 5220 B Open Reflux Method 2023 | mg/l | 39.2 | 4.0 -1000 mg/l |
| D.O. , APHA 24th Ed. 4500-OB Iodometric Method 2023 | mg/l | 3.64 | 0.2-14.0 mg/l |

*Non-NABL Parameters.

Note : 1 The results in the Test Report relate only to the items tested; 2. The report shall not be reproduced-except in full, without the written permission of laboratory. 3. The test report pertains to the sample as received in Lab.

Remark:* - NA

Analysed by
[Arti Gupta(SA), Iti Singh (JRF)]

Authorized by
 Digitally signed by Reeta
 Keshav
 Date: 2024.09.27 11:48:45
 +05'30'
Reeta Keshav (ASO)

RAM
GOPAL
 Chief Environmental Officer
 Central Laboratory
 Digitally signed by
 RAM GOPAL
 Date: 2024.09.27
 11:49:00 +05'30'

182

U.P. Pollution Control Board



CONSENT ORDER

Dated : 20/12/2019

Ref No. -
72805/UPPCB/Lucknow(UPPCBRO)/CTO/air/BARABANKI/2019

To ,

Shri LIJO JOSE
M/s AMROON FOODS PVT LTD
KURSI-AGASAN ROAD, KURSI, BARABANKI, BARABANKI, 225302
BARABANKI

Sub : Consent under section 21/22 of the Air (Prevention and control of Pollution) Act, 1981 (as amended)
to M/s. AMROON FOODS PVT LTD

Reference Application No. 6465139

Dated : 20/12/2019

1. With reference to the application for consent for emission of air pollutants from the plant of M/s AMROON FOODS PVT LTD. under Air Act 1981. It is being authorised for said emissions, as per the standards, in environment, by the Board as per enclosed conditions .
2. This consent is valid for the period from 01/01/2020 to 31/12/2024 .
3. In spite of the conditions and provisions mentioned in this consent order UP Pollution Control Board reserves its right and powers to reconsider/amend any or all conditions under section 21 (6) of the Air (Prevention and Control of Pollution) Act, 1981 as amended.
This consent is being issued with the permission of competent authority .

For and on behalf of U.P. Pollution Control Board
Pramod Kumar Agarwal Digitally signed by Pramod Kumar Agarwal
Date: 2019.12.20 14:37:36 +05'30'
Chief Environmental Officer, Circle-5, UPPCB.

Enclosed : As above
(condition of consent):

Copy to: Regional Officer, UPPCB, Lucknow.

Pramod Kumar Agarwal Digitally signed by Pramod Kumar Agarwal
Date: 2019.12.20 14:48:19 +05'30'
Chief Environmental Officer, Circle-5, UPPCB.

U.P. Pollution Control Board

Dated : 20/12/2019

CONDITIONS OF CONSENT

1. This consent is valid for the approved maximum slaughtering capacity Frozen Meat- 80 TPD by slaughtering of Buffaloes- 750 /day (Max.) and 750 Goat/Sheep (Max.) Buffalos per day.
2. This consent is valid only for products and quantity mentioned above. Industry shall obtain prior approval before making any modification in product/ process /fuel/ plant machinery failing which consent would be deemed void.
3. The unit should follow the various provisions of "REVISED COMPREHENSIVE INDUSTRY DOCUMENT ON SLAUGHTER HOUSES" issued by Central pollution Control Board in October 2017.
4. The slaughtering of the cow & its progeny is not permitted under any circumstances.
5. The slaughter house will follow the various provisions of rules and regulations as mentioned in the "Compendium of Indian Standards on Slaughter House".
- 6(a) The maximum rate of emission of flue gas should not be more than the emission norms for the stacks.

6(b) Air Pollution Source Details.

| Air Pollution Source Details | | | | | |
|------------------------------|---------------------------------|--------------|-----------|--------------------|------------------------|
| S.No | Air Pollution Source | Type of Fuel | Stack No. | Parameters | Height |
| 1 | Oil Fired Boiler (4.5 TPH) | Diesel | 2 | Particulate Matter | 30 meter heigh from GL |
| 2 | 500 KVA DG set | Diesel | 5 | Particulate Matter | as per norms |
| 3 | 500 KVA DG set | Diesel | 3 | Particulate Matter | as per norms |
| 4 | 500 KVA DG set | Diesel | 4 | Particulate Matter | as per norms |
| 5 | Rice Husk Fired Boiler (06 TPH) | Rice Husk | 1 | Particulate Matter | 30 meter heigh from GL |

- 6(c) The emissions by various stacks into the environment should be as per the norms of the Board .

| Emission Quality Details Detail | | | |
|---------------------------------|----------|--------------------|---------------------------|
| S.No | Stack No | Parameter | Standard |
| 1 | 1 | Particulate Matter | 800 mg/normal cubic meter |

7. The industry should be operated in such a manner that it does not adversely affect the environment and the solid waste generated such as ash etc. is disposed in eco friendly manner .
8. Any source of emission other than that mentioned in the Air consent seeking application will not be permitted by the Board .
9. The industry should ensure the operation of the air pollution control system (APCS) in such a manner that the air emission confirms with the standards prescribed under the E.P Act 1986 as amended.
10. The industry shall submit Environmental Statement in prescribed format as per rule no.14 as per E.P Rules 1986 .
11. The industry shall abide by orders / directions issued by Hon'ble Supreme court Hon'ble High Court, Hon'ble National Green tribunal, Central Pollution Control Board and U.P Pollution Control Board for protection and safe guard of environment from time to time .
12. Industry shall submit monthly monitoring reports of all stacks and ambient air quality from a certified / approved laboratory under E.P. Act 1986 .

13. The industry shall comply with various provisions of Air (Prevention and Control of Pollution) Act 1981 as amended, Water (Prevention and Control of Pollution) Act 1974 as amended and all other applicable rules notified under E.P. Act 1986.
14. The industry will ensure the continuous and uninterrupted data supply from the OCEEMS to the CPCB and SPCB .
15. The unit shall submit audited balance sheet for the current year and the details of fees deposited during last three years within a month failing which consent would be deemed void.
16. The use of Pet coke and Furnace oil as a fuel in the factory is restricted in compliance of the Hon'ble Supreme court order .
17. The Industry will use minimum 20% Bio Briquette as fuel in the Boiler depending upon its availability .
18. The industry shall obtain prior consents in the event of any addition of new emission generation sources such as- Boiler/ Furnace/ Heaters/ D.G. Sets or alteration of existing emission sources in accordance with section- 21/22 of air Act 1981 (as amended respectively).
19. Minimum 33% of the land on which industry is established will be covered and properly maintained by the plantation of tall trees of suitable species as per the guidelines set up by the Board vide its Office Order no.H-16405/220/2018/02 dt. 16/02/2018. The copy of this guideline is available at URL http://www.uppcb.com/pdf/Green-Belt-Guidle_160218.pdf .
20. If closure order is issued by CPCB or UPPCB against the unit, then CTO issued earlier will remain suspended during the closure period and after ensuring the compliance and after revocation of closure order, the CTO will automatically be effective with additional conditions mentioned in the closure revocation order .
21. Industry shall abide by the directions given by Hon'ble Court, Central Pollution Control Board and UPPCB for protection and safe guard of environment from time to time .

Specific Conditions:

1. This consent is valid for the production of Frozen Meat- 80 TPD by slaughtering of Buffaloes- 750 /day (Max.) and 750 Goat/Sheep (Max.) and by products as Meat Bone Meal and Tallow.
2. This consent is valid for the current products and capacity. In Case of any change in process, capacity enhancement etc. No Objection Certificate shall be obtained from the Board.
3. To preserve the raw hides, brine solution or deep freezing system should be used in place of salt. So as to control the quantity of the TDS in the effluent water that would generate from the subsequent tanneries.
4. The industry shall submit the latest copy of Audited Balance Sheet/C.A. Certificate (Fixed Assets+ Current Assets - Current Liabilities) so that the Consent fee payable by the industry may be verified.
5. The industry shall develop green belt as per the Protocol attached with Board's office order H 16405/220/2018/02 dated 16-2-2018, which is available on Board's website- www.uppcb.com.
6. The industry shall operate and maintain the installed APCS effectively and Stack monitoring report conducted by any NABL accredited lab shall be submitted quarterly.
7. The industry shall maintain and operate bio filter properly so that no odour problem is created in the surrounding area.
8. Ash generated from boilers shall be stored in a safe place and proper arrangement of water sprinkling shall be done to suppress the dust particles.
9. The Order issued by Hon'ble Courts/Hon'ble NGT, MOEF, Central Pollution Control Board, U.P. Pollution Control Board, shall be complied with.
10. Generated hazardous waste shall be stored temporarily in the factory premises and disposed off through authorized TSDF after obtaining the authorization from the Board.
11. The industry shall comply with the provisions of, Environment (Protection) Act 1986, Water (Prevention and Control of Pollution) Act, 1974 as amended, Air (Prevention and Control of Pollution) Act, 1981 as amended, Plastic Waste Management Rules 2016, E- Waste (Management) Rules 2016, Solid Waste Management Rules 2016 & Hazardous and other Waste (Management and Transboundary Movement) Rules 2016 (Whichever is applicable).
12. The unit shall ensure the ambient air quality according to the prescribed standards.
13. If closure order is issued by CPCB or UPPCB against the unit, then CTO will remain suspended during the closure period. After ensuring the compliance and after revocation of the closure order, the CTO will automatically be effective from the date of issuance of the closure revocation order with additional conditions mentioned in the closure revocation order.

Issued with the permission of competent authority .

For and on behalf of U.P. Pollution Control Board .

Pramod Kumar Agarwal Digitally signed by Pramod Kumar Agarwal
Date: 2019.12.20 14:48:34 +05:30'
Chief Environmental Officer, Circle-5, UPPCB.

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U.P. Pollution Control Board

CONSENT ORDER

Dated : 17/12/2019

Ref No. -
72815/UPPCB/Lucknow(UPPCBRO)/CTO/water/
BARABANKI/2019

To ,

Shri LIJO JOSE
M/s AMROON FOODS PVT LTD
KURSI-AGASAN ROAD, KURSI, BARABANKI, BARABANKI, 225302
BARABANKI

Sub : Consent under Section 25/26 of The Water (Prevention and control of Pollution) Act, 1974 (as amended) for discharge of effluent to M/s. AMROON FOODS PVT LTD

Reference Application No :6465757

Dated :17/12/2019

1. For disposal of effluent into water body or drain or land under The Water (Prevention and control of Pollution) Act, 1974 as amended (here in after referred as the act) M/s. AMROON FOODS PVT LTD is hereby authorized by the board for discharge of their industrial effluent generated through ETP for irrigation/river through drain and disposal of domestic effluent through septic tank/soak pit subject to general and special conditions mentioned in the annexure ,in refrence to their foresaid application .
 2. This consent is valid for the period from 01/01/2020 to 31/12/2024 .
 3. In spite of the conditions and provisions mentioned in this consent order UP Pollution Control Board reserves its right and powers to reconsider/amend any or all conditions under section 27(2) of the Water (Prevention and Control of Pollution) Act, 1974 as amended .
- This consent is being issued with the permission of competent authority .

For and on behalf of U.P. Pollution Control Board

Pramod Kumar Agarwal

Digitally signed by Pramod Kumar Agarwal
Date: 2019.12.20 14:19:53 +05'30'

Chief Environmental Officer, Circle-5, UPPCB.

Enclosed : As above
(condition of consent):

Copy to: Regional Officer, UPPCB, Lucknow.

Pramod Kumar Agarwal

Digitally signed by Pramod Kumar Agarwal
Date: 2019.12.20 14:20:04 +05'30'

Chief Environmental Officer, Circle-5, UPPCB.

U.P. POLLUTION CONTROL BOARD, LUCKNOW

Annexure to Consent issued to M/s.AMROON FOODS PVT LTD vide

Consent Order No. 6465757/ Water

Dated : 17/12/2019

CONDITIONS OF CONSENT

1. This consent is valid for the approved maximum slaughtering capacity Frozen Meat- 80 TPD by slaughtering of Buffaloes- 750 /day (Max.) and 765 Goat/Sheep (Max.) per day.
2. This consent is valid only for products and quantity mentioned above. Industry shall obtain prior approval before making any modification in product/ process /fuel/ plant machinery failing which consent would be deemed void.
3. The unit should follow the various provisions of "REVISED COMPREHENSIVE INDUSTRY DOCUMENT ON SLAUGHTER HOUSES" issued by Central pollution Control Board in October 2017.
4. The slaughter house will follow the various provisions of rules and regulations as mentioned in the "Compendium of Indian Standards on Slaughter House".
5. The slaughtering of the cow & its progeny is not permitted under any circumstances.
6. The industry should strictly follow the various Acts & guidelines mentioned in the compendium compiled in compliance of the Hon'ble Supreme Court order dated 17-02-2017 in the matter of W.P.(Civil) No. 330/2001, Common Cause V/s Govt. of India, W.P. No. 44/2004, contempt petition 124/2015 annexed with W.P. (Civil) No. 309/2003 Laxmi Narayan Modi V/s Govt. of India and ors.
7. The industry should provide the linkage of the CCTV cameras installed at the entry points, lairage and meat processing unit to the DM office and on the public portal. It will be the responsibility of the industry to comply with the various conditions of the permission taken from local administration or any other government department.
8. The quantity of maximum daily effluent discharge should not be more than the following :

| Effluent Discharge Details | | | |
|----------------------------|------------------|---------------------------------|--|
| S.No | Kind of Effluent | Maximum daily discharge, KL/day | Treatment facility and discharge point |
| 1 | Industrial | 765 KLD | ETP |
| 2 | Domestic | 35 KLD | Septic Tank |

9. Arrangement should be made for collection of water used in process and domestic effluent separately in closed water supply system. The treated domestic and industrial effluent if discharged outside the premises, if meets at the end of final discharge point, arrangement should be made for measurement of effluent and for collecting its sample. Except the effluent informed in the application for consent no other effluent should enter in the said arrangements for collection of effluent. It should also be ensured that domestic effluent should not be discharged in storm water drain.
- 9(a) The domestic effluent should be treated in treatment plant so that the should be in conformity with the following norms dated treated effluent .

| Domestic Effluent | | |
|-------------------|-----------|----------|
| S.No | Parameter | Standard |
| | | |

- 9(b) The industrial effluent should be treated in treatment plant so that the treated effluent should be in conformity with the following norms. .

| Industrial Effluent | | |
|---------------------|------------------------|----------|
| S.No | Parameter | Standard |
| 1 | Total Suspended Solids | 50 mg/l |
| 2 | BOD | 30 mg/l |
| 3 | COD | 250 mg/l |
| 4 | Oil & Grease | 10 mg/l |

10. Effluent generated in all the processes, bleed water, cooling effluent and the effluent generated from washing of floor and equipments etc should be treated before its disposal with treated industrial effluent so that it should be according to the norms prescribed under The Environment (Protection) Rules, 1986 or otherwise mandatory.
11. The method for collecting industrial and domestic effluent and its analysis should be as per legal Indian standards and its subsequent amendments/ standards prescribed under the Environment (Protection) Act, 1986.
12. The industry will have to ensure compliance of the permission from the CGWA before ground water extraction and it will be the responsibility of the industry to comply with the various conditions of the permission taken.
13. The industry shall submit Environmental Statement in prescribed form V rule no.14 of E.P Rules 1986.
14. The industry shall comply with various provisions of Air (Prevention and Control of Pollution) Act 1981 as amended, Water (Prevention and Control of Pollution) Act 1974 as amended and all other applicable rules notified under E.P. Act 1986.
15. Minimum 33% of the land on which unit is established will be covered and properly maintained by the plantation of tall trees of suitable species as per the guidelines set up by the Board vide its Office Order no.H-16405/220/2018/02 dt. 16/02/2018. The copy of this guideline is available at URL http://www.uppcb.com/pdf/Green-Belt-Guidle_160218.pdf.
16. The industry will ensure the continuous and uninterrupted data supply from the OCEEMS to the CPCB and SPCB.
17. Flow meter to be installed in all water abstraction points and usage of fresh water to be minimized. The unit will ensure facility to transmit data to CPCB server and submit a regular calibration certificate of Electro Magnetic Flow meter to the Board.
18. If closure order is issued by CPCB or UPPCB against the unit, then CTO issued earlier will remain suspended during the closure period and after ensuring the compliance and after revocation of closure order, the CTO will automatically be effective with additional conditions mentioned in the closure revocation order.
19. Industry shall abide by the directions given by Hon'ble Court, Central Pollution Control Board and UPPCB for protection and safe guard of environment from time to time.

Specific Conditions:

1. This consent is valid for the production of Frozen Meat- 80 TPD by slaughtering of Buffaloes- 750 /day (Max.) and 750 Goat/Sheep (Max.) and by products as Meat Bone Meal and Tallow.
2. This consent is valid for the current products and capacity. In Case of any change in process, capacity enhancement etc. No Objection Certificate shall be obtained from the Board.
3. To preserve the raw hides, brine solution or deep freezing system shall be used in place of salt, so as to control the quantity of the TDS in the effluent water that would be generated from the subsequent processing in tanneries.
4. Generated hazardous waste shall be stored temporarily in the factory premises and disposed of through authorized TSDF after obtaining the authorization as per Hazardous and other Waste (Management and Transboundary Movement) Rules 2016 from the Board.
5. Industry shall submit the latest copy of Audited Balance Sheet/C.A. Certificate (Fixed Assets+ Current Assets - Current Liabilities) so that the Consent fee (payable) by the industry may be verified.
6. The Orders issued by Hon'ble Courts/Hon'ble NGT, MOEF, Central Pollution Control Board, U.P. Pollution Control Board, shall be complied with.
7. The disposal of domestic effluent shall be done through septic tank/soak pit.
8. The industry shall maintain and operate the ETP properly and the treated effluent shall be used for irrigation as much as possible and the remaining part of the treated water shall be discharged into Reth River.
9. The industry shall submit renewed NOC from CGWA within a month to the Board and shall comply with the condition mentioned in the NOC.
10. The online monitoring system shall be maintained and calibrated periodically and properly.
11. The treated effluent analysis report conducted by any NABL accredited lab shall be submitted quarterly.
12. Industry shall develop green belt as per the protocol attached with the board's office order no. H16405/220/2018/02 dated 16-02-2018 which is available on board's website.
13. The industry shall ensure the proper handling and disposal of dung and ingesta.
14. The industry shall comply with the provisions of, Environment (Protection) Act 1986, Water (Prevention and Control of Pollution) Act, 1974 as amended, Air (Prevention and Control of Pollution) Act, 1981 as amended, Plastic Waste Management Rules 2016, E- Waste (Management) Rules 2016, Solid Waste Management Rules 2016 & Hazardous and other Waste (Management and Transboundary Movement) Rules 2016 (Whichever is applicable).
15. If closure order is issued by CPCB or UPPCB against the unit, then CTO will remain suspended during the closure period. After ensuring the compliance and after revocation of the closure order, the CTO will automatically be effective from the date of issuance of the closure revocation order with additional conditions mentioned in the closure revocation order.

Issued with the permission of competent authority .

For and on behalf of U.P. Pollution Control Board .
 Pramod Kumar Agarwal Digitally signed by Pramod Kumar Agarwal
 Date: 2019.12.20 14:19:29 +05'30'
 Chief Environmental Officer, Circle-5, UPPCB.

कार्यालय जिलाधिकारी, बाराबंकी

पत्र संख्या- 997/शिव्याधिका-244/2024


दिनांक- 13/09/24

मैसर्स फेयर एक्सपोर्ट इण्डिया प्रा०लि०,
अगासन कुर्सी रोड,
जिला-बाराबंकी।

विषय:-माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ०ए० संख्या-841/2024 अनुपम वर्मा बनाम स्टेट आफ यू०पी० व अन्य में पारित आदेश दिनांक 03.09.2024 के अनुपालन के संबंध में।

उपरोक्त विषयक माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ०ए० संख्या-841/2024 अनुपम वर्मा बनाम स्टेट आफ यू०पी० व अन्य में पारित आदेश दिनांक 03.09.2024 का कष्ट करें (छायाप्रति संलग्न)। उक्त पारित आदेश के अनुपालन में ओ०ए० की प्रति एवं माननीय एन०जी०टी० में पारित आदेश की प्रति संलग्न कर इस निर्देश के साथ प्रेषित है कि माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ०ए० संख्या-841/2024 अनुपम वर्मा बनाम स्टेट आफ यू०पी० व अन्य में पारित आदेश दिनांक 03.09.2024 का अनुपालन करना सुनिश्चित करें। उक्त प्रकरण पर अग्रिम सुनवाई दिनांक 14/10/2024 को नियत है।

संलग्नक:-यथोपरि।


13/9/24
(सत्येन्द्र कुमार)
जिलाधिकारी,
बाराबंकी।





कार्यालय जिलाधिकारी, बाराबंकी

पत्र संख्या- 997/शिव याचिका-244/2024

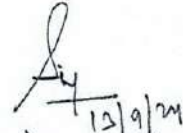
दिनांक- 13/09/24

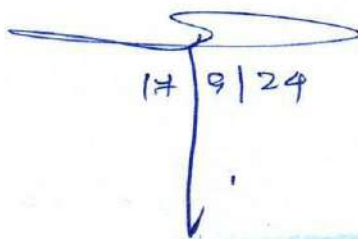
मैसर्स फेयर एक्सपोर्ट इण्डिया प्रा०लि०,
अगासन कुर्सी रोड,
जिला-बाराबंकी।

विषय:-माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ०ए० संख्या-841/2024 अनुपम वर्मा बनाम स्टेट आफ यू०पी० व अन्य में पारित आदेश दिनांक 03.09.2024 के अनुपालन के संबंध में।

उपरोक्त विषयक माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ०ए० संख्या-841/2024 अनुपम वर्मा बनाम स्टेट आफ यू०पी० व अन्य में पारित आदेश दिनांक 03.09.2024 का कष्ट करें (छायाप्रति संलग्न)। उक्त पारित आदेश के अनुपालन में ओ०ए० की प्रति एवं माननीय एन०जी०टी० में पारित आदेश की प्रति संलग्न कर इस निर्देश के साथ प्रेषित है कि माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ०ए० संख्या-841/2024 अनुपम वर्मा बनाम स्टेट आफ यू०पी० व अन्य में पारित आदेश दिनांक 03.09.2024 का अनुपालन करना सुनिश्चित करें। उक्त प्रकरण पर अग्रिम सुनवाई दिनांक 14/10/2024 को नियत है।

संलग्नक:-यथोपरि।


13/9/24
(सत्येन्द्र कुमार)
जिलाधिकारी,
बाराबंकी।


17/9/24

For Fair Exports (India) Pvt. Ltd.
Lijo Jose Appath.

Authorised Signatory
G.M. (Fair Export) Barambki

संख्या-3710/नौ-8-2017-2सी.एस./12टी.सी

प्रेषक,
कुमार कगलेश,
प्रमुख सचिव,
उत्तर प्रदेश।

सोता में,

1. रामस्त मण्डलायुक्त, उत्तर प्रदेश।
2. निदेशक, नगरीय निकाय, उत्तर प्रदेश लखनऊ।
3. रामस्त जिलाधिकारी, उत्तर प्रदेश।
4. रामस्त नगर आयुक्त, नगर निगम, उत्तर प्रदेश।
5. रामस्त अधिशारी अधिकारी, नगरपालिका परिषद/नगर पंचायत, उत्तर प्रदेश।

नगर विकास अनुभाग-8

लखनऊ: दिनांक 07 जुलाई, 2017

विषय: मा0 सर्वोच्च न्यायालय द्वारा रिट याचिका (सिविल) संख्या-330/2001 कामन काज बनाम भारत संघ, रिट याचिका संख्या-44/2004, अवमानना याचिका संख्या-124/2015 के साथ संलग्न रिट याचिका संख्या-309/2003 लक्ष्मी नारायण गोदी बनाम यूनिजन ऑफ इण्डिया व अन्य में पारित आदेश दिनांक 17.02.2017 के अनुपालन में पशुवधशालाओं के संचालन के सम्बन्ध में अद्यतन दिशा-निर्देश।

महोदय,

मा0 सर्वोच्च न्यायालय में पशुवधशालाओं से सम्बन्धित विभिन्न बिन्दुओं के सम्बन्ध में दायर रिट याचिका-(सिविल) 309/2003, लक्ष्मीनारायण गोदी बनाम यूनिजन ऑफ इण्डिया के सम्बन्ध में मा0 सर्वोच्च न्यायालय द्वारा समय-समय पर पारित किये गये आदेशों के अनुपालन में सचिव, भारत सरकार, पर्यावरण एवं वन मंत्रालय के अर्द्ध शा0 पत्र संख्या-7/4/2011-ए.डब्ल्यू.डी. दिनांक 02.7.2012 में दिये गये दिशा-निर्देशों के अनुक्रम में उत्तर प्रदेश राज्य के अन्तर्गत राज्य सरकार द्वारा पशुवधशालाओं के संचालन से सम्बन्धित विषयों के क्रियान्वयन हेतु शासन के कार्यालय ज्ञाप संख्या-1838/नौ-8-2012-2सी.एस./2012 दिनांक 11 सितम्बर, 2012 द्वारा "राज्य स्तरीय समिति" का गठन किया गया है, जिसमें प्रमुख सचिव/सचिव, पशुधन, मूँह चिकित्सा एवं रवास्था, पर्यावरण, पंचायतीराज, श्रम विभाग तथा पुलिस महानिदेशक, उत्तर प्रदेश आदि को समिति में सदस्य के रूप में नामित किया गया है। पशुवधशालाओं के संचालन हेतु गठित "राज्य स्तरीय समिति" को शीघ्र गये दायित्वों के अन्तर्गत प्रदेश में स्थित पुरानी पशुवधशालाओं का आधुनिकीकरण तथा आधुनिक

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पशुवधशालाओं की स्थापना किये जाने की योजना शासनादेश संख्या-2394/ सी-8-2014-03पी(बजट)/2014 दिनांक 26.11.2014 लागू की गयी थी।

2. माओ सर्वोच्च न्यायालय द्वारा रिट याचिका (सिविल) संख्या-330/2001 कामन कोमन बनाम भारत संघ, रिट याचिका संख्या-44/2004, अवमानना याचिका 124/2015 के साथ संलग्न रिट याचिका संख्या- सिविल 309/2003, लक्ष्मीनारायण मोदी बनाम यूनियन आफ इण्डिया एवं अन्य में पशुवधशालाओं से सम्बन्धित रिट याचिकाओं पर सुनवाई करते हुए दिनांक 17.02.2017 को पारित निर्णय (Judgement) के सारंगत अंश निम्नवत है:-

"Pursuant to our orders dated 26.09.2016 and 28.10.2016, a compendium of the Indian Standards has been prepared along with all relevant material in consultation with all the stake-holders. The Union of India is directed to print the compendium in sufficient numbers and circulate it to all the State Governments and Union Territories for compliance. The Union of India will comply with our orders within six weeks from today. In the event there is non-compliance with the Indian Standards, other rules and regulations, the petitioners are entitled to approach the concerned district collector or the judicial authorities, as the case may be in a given specific instance."

3. माओ उच्चतम न्यायालय द्वारा केन्द्र सरकार/राज्य सरकार के विभिन्न विभागों द्वारा compendium में विभिन्न अधिनियमों, नियमों, दिशा-निर्देशों के अनुसार पशुवधशालाओं की स्थापना/गैटशॉप का संचालन किये जाने हेतु निम्न प्राविधान प्रसारित किये गये हैं:-

| S.N. | STATUS/STANDARD/GUIDE LINE: |
|------|---|
| 1 | Prevention of Cruelty to Animals Act, 1960 [Relevant Sections: Sections 3(p.3), 9(b) (p. 6), Section 9 (c) (p. 6), 11 (p.7,8) and 38 (P. 15, 16)] |
| 2 | Transport of Animals Rules, 1978 (as amended in 2001 and 2009) |
| 3 | Prevention of cruelty to Animals (Transport of Animals of Foot) Rules 2000 |
| 4 | Prevention of Cruelty to Animals (Slaughter House) Rules 2001 |
| 5 | Form for Ante and Post Mortem Fitness Certificates to be issued by the veterinary Doctor after examining the animal before and after slaughter of animals as per Rule 4 (3) of the Prevention of Cruelty to Animals (Slaughter House) Rules 2001 [Relevant documents: Letter from AWBI to Director/Commissioner, Municipal Administration of all States and Union Territories, dated 17.10.2016 (p.49): Letter from AWBI to CEO Food Safety & Standards Authority, dated 17.10.2016(p. 50:) Letter from FSSAI to All Central Licensing Authorities and Commissioners of food Safety of all States/ UT's (p.51)] |
| 6 | Draft Prevention of Cruelty to Animals (Regulation of livestock market) Rules 2016 |
| 7 | Central Motor Vehicles (Eleventh Amendment) Rules, 2015 [Relevant Rules: Rule 125 E (p.69)] |
| 8 | Central Motor Vehicles (13th Amendment) Rules, 2016 [Relevant Rules: Rule 125E(p.71)] |
| 9 | Food Safety and Standards Act 2006 [Relevant Sections- Section 92 p. 118, 119)] |
| 10 | Food Safety and standards (Licensing and Registration of food Business) Regulations 2011 [Relevant regulations- Part IV(p.161-178)] |
| 11 | Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 [Relevant regulations- Regulation 2.5 (p. 265)] |

| | |
|----|---|
| 12 | Agriculture and Processed Food Product Export Development Authority (Amendment) Act 2009 [Relevant Sections-section 4 (p.344) and section 12 (p.349)] |
| 13 | Environment Protection Act 1986 [Relevant Section-6 & 25 (p.356)] |
| 14 | The Environment (Protection) Rules, 1986 [Relevant Rules-Effluent Discharge Standards. S. No. 50(p.357)] |
| 15 | (Revised Draft) Effluent Discharge Standards for Slaughter House to be notified by The MoEF [Relevant Rules-Effluent Discharge Standards. S. No. 50(p.360)] |
| 16 | The Water (Preservation and Control of Pollution) Act, 1974 [Relevant Section 24(p.373, 374), 25 (p.374), 26(p.375), 27(p.375, 376), 28(p.376)&33B(p.378)] |
| 17 | The Water (Preservation and control of pollution) Rules 1975 [Relevant Rules: Form XIII (p.410)] |
| 18 | The Air (Prevention and Control of Pollution) Act 1981 [Relevant Section - 21(p.441), 22A (p.443), 23 (p.443), 24 (p. 443,444), 31A (p.446), 31B(p.446), 37 (p.448), 40 (p. 448,449), & 41 (p.449)] |
| 19 | The Municipal Solid Wastes (Management & Handling) Rules 2000 [Relevant Rules- 7(p.456), Schedule II- S. No. 1 (iii)(p.458), 4 (p.459), 5 (p.459,460), 6 (p.460), Form II Clause 6 (ii) (p.472)] |
| 20 | The National Green Tribunal Act 2010 [Relevant sections 14 (p.482), 16 (p.483)] |
| 21 | IS 8895:2015 Handling Storage and Transport of Slaughter house by- products Guidelines (First Revision) |
| 22 | IS 1982:2015 Ante Mortem and post mortem inspection of meat animals- Code of practice (second revision) |
| 23 | IS 4393:2016 Basic Requirement of an Abattoir (second revision) |
| 24 | [Revised] Standards for Discharge of Effluents from Slaughter houses, Meat Processing Units and Sea Food Industry. |

मा0 सर्वोच्च न्यायालय द्वारा उपर्युक्त मामले में पारित अन्तिम निर्णय दिनांक 17.02.2017 का परिशीलन किये जाने पर यह पाया गया कि प्रदेश में पुरानी पशुवधशालाओं का आधुनिकीकरण तथा आधुनिक पशुवधशालाओं की स्थापना किये जाने से सम्बन्धित शासनादेश संख्या-2394/नौ-8-2014- 03पी(बजट)/2014 दिनांक 26.11.2014 में उल्लिखित कई प्राविधान वर्तमान आदेश के परिप्रेक्ष्य में अप्रासंगिक हो गये हैं, जिसके दृष्टिगत पशुवधशालाओं की स्थापना/संचालन किये जाने हेतु संशोधित दिशा निर्देश जारी किये जाने की आवश्यकता है।

4. मा0 सर्वोच्च न्यायालय द्वारा रिट याचिका (सिविल) संख्या-330/2001 कामन कांज बनाम भारत संघ, रिट याचिका संख्या-44/2004, अवमानना याचिका संख्या-124/2015 के साथ संलग्न रिट याचिका संख्या-309/2003 लक्ष्मी नारायण मोदी बनाम यूनियन ऑफ इण्डिया व अन्य में पारित आदेश दिनांक 17.02.2017 के अनुपालन में पशुवधशालाओं के संचालन के सम्बन्ध में श्री राज्यपाल शासनादेश संख्या-2394/नौ-8-2014- 03पी(बजट)/2014 दिनांक 26.11.2014 को अवकमित करते हुए निम्नवत अद्यतन दिशा-निर्देश निर्गत करते हैं:-

- (1) The Food Safety and Standards Act, 2006 की धारा-89 में दी गयी व्यवस्था- The Provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect of virtue of any

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law other than this Act. समस्त प्रचलित अधिनियमों पर ओवरसाइडिंग इफेक्ट रखती है। ऐसी स्थिति में किसी भी कारोबारी को लाइसेंस निर्गत करने का दायित्व 'The Food Safety and Standards Act, 2006' की धारा-89 के अन्तर्गत खाद्य सुरक्षा एवं औषधि प्रशासन विभाग का है, जो 'The Food Safety and Standard (Licensing and Registration of Food Businesses) Regulations, 2011' के 2.1.2 (1)(5) के शेड्यूल-IV के अन्तर्गत हाइजीन एवं सैनेटरी आवश्यकताओं को दृष्टिगत रखते हुए लोकल अथारिटी से अनापत्ति प्रमाण पत्र प्राप्त करते हुए लाइसेंस/पंजीकरण निर्गत किये जाने की व्यवस्था है।

- (2) The Food Safety and Standards Act, 2006 एवं The Food Safety and Standard (Licensing and Registration of Food Businesses) Regulations, 2011 के 2.1.2 (1)(5) के शेड्यूल-IV के अन्तर्गत हाइजीन एवं सैनेटरी आवश्यकताओं को दृष्टिगत रखते हुए लोकल अथारिटी से अनापत्ति प्रमाण पत्र प्राप्त कर खाद्य सुरक्षा एवं औषधि प्रशासन विभाग के संबंधित अधिकारी द्वारा लाइसेंस/पंजीकरण निर्गत किये जाने की कार्यवाही की जायेगी।
- (3) The Food Safety and Standards Act, 2006 के दिनांक 05.08.2011 से प्रभावी हो जाने के फलस्वरूप उ०प्र० नगर निगम अधिनियम, 1959 एवं नगर पालिका अधिनियम, 1916 में खाद्य लाइसेंस दिये जाने सम्बन्धी प्राविधान निष्प्रभावी हो गये हैं।
- (4) अद्यतन पशुधन गणना को आधार में लेते हुए सम्बन्धित लोकल एथारिटी यदि पशुवधशाला की स्थापना का औचित्य पाती है, तो डी०पी०आर० मा० उच्चतम न्यायालय के निर्देशों व सुसंगत अधिनियमों/नियमों/आदेशों के अधीन तैयार करायेगी। सम्बन्धित लोकल एथारिटी जनपद के जिलाधिकारी के समक्ष डी०पी०आर० सहित आवेदन-पत्र प्रस्तुत करेगी, जिसे जिलाधिकारी की अध्यक्षता में गठित समिति, जिसमें सदस्य के रूप में सम्बन्धित जनपद के वरिष्ठ पुलिस अधीक्षक/पुलिस अधीक्षक, मुख्य पशु चिकित्साधिकारी, सम्बन्धित स्थानीय निकाय के नगर आयुक्त/अधिसाधी अधिकारी/अपर मुख्य अधिकारी एवं उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड के क्षेत्रीय अधिकारी होंगे, मा० उच्चतम न्यायालय द्वारा पारित निर्णय में उल्लिखित अधिनियमों/नियमों को दृष्टिगत रखते हुए परीक्षण करेगी यदि सम्बन्धित लोकल एथारिटी द्वारा मा० उच्चतम न्यायालय के निर्णय में वर्णित दिशा-निर्देशों के अनुसार डी०पी०आर० तैयार व गयी हो, और अद्यतन पशुधन गणना के अनुसार वहाँ पर पशुवधशाला व स्थापना का औचित्य पाया जाता है, तो जिला स्तरीय समिति द्वारा अपर स्पष्ट संस्तुति सहित प्रस्ताव प्रमुख सचिव, नगर विकास विभाग की अध्यक्षता में गठित राज्य स्तरीय समिति के विचारार्थ प्रस्तुत किया जाय। राज्य स्तरीय समिति द्वारा प्रस्ताव प्राप्त होने पर 03 माह के अन्दर परियोजना की स्वीकृति दिये जाने पर विचार कर यथोचित निर्णय लेगी।

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5- अतः इस सम्बन्ध में मुझे यह कहने का निदेश हुआ कि उपर्युक्त संशोधित दिशा निर्देशों के अनुसार अग्रिम कार्यवाही करने का कष्ट करें।

भवदीय,

(कुमार कमलेश)

प्रमुख सचिव

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संख्या 3710(1)/नौ-8-17, तददिनांक

- 1- प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
अपर मुख्य सचिव/प्रमुख सचिव/सचिव, पंचायतीराज/गृह/पर्यावरण/
पशुधन/चिकित्सा एवं स्वास्थ्य विभाग/खाद्य सुरक्षा एवं औषधि प्रशासन
विभाग/श्रम/परिवहन, उत्तर प्रदेश शासन, लखनऊ।
- 2- पुलिस महानिदेशक, उत्तर प्रदेश।
- 3- समस्त वरिष्ठ पुलिस अधीक्षक/पुलिस अधीक्षक, उत्तर प्रदेश।
- 4- सदस्य सचिव, उत्तर प्रदेश, प्रदूषण एवं नियंत्रण बोर्ड, लखनऊ।
- 5- समस्त अनुभाग, नगर विकास विभाग।
- 6- कम्प्यूटर सेल, नगर विकास विभाग।
- 7- गार्ड फाइल।

आज्ञा/से.

(शैलेन्द्र कुमार सिंह)

विशेष सचिव।

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Neutral Citation No. - 2023:AHC-LKO:39993-DB

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RESERVED

Court No. - 1

Case :- WRIT - C No. - 4368 of 2022

Petitioner :- M/S Al Haq Food Pvt. Ltd. Through Its Director Namely Mohd. Anwar

Respondent :- State Of U.P. Through Additional Chief Secretary Forests And Environment And 6 Others

Counsel for Petitioner :- Salil Kumar Srivastava, Abhinav Singh, Lalita Prasad Misra, Rahul Kapoor, Rahul Srivastava, Shobhit Mohan Shukla, Vinod Kumar

Counsel for Respondent :- C.S.C., A.S.G.I., Ashok Kumar Verma

Hon'ble Devendra Kumar Upadhyaya, J.

Hon'ble Om Prakash Shukla, J.

(Per Om Prakash Shukla, J.)

(1) Heard Dr. L.P. Mishra and Shri Abhinav Singh, learned Counsel representing the petitioners, Shri S.C. Mishra, learned Senior Advocate, assisted by Shri Ashok Kumar Verma, learned Counsel representing the U.P. Pollution Control Board and learned State Counsel for the State-respondents.

(2) The petitioner-M/s Al-Haq Foods Pvt. Ltd., which is a Private Limited Company registered under the provision of the Companies Act, has sought to invoke the extra-ordinary writ jurisdiction of this Court under Article 226 of the Constitution of India to challenge two orders dated 11.07.2020 passed on the same day by the Chief Environmental Officer, Circle-5, U.P. Pollution Control Board, Lucknow, whereby the 'consent to operate' slaughterhouse (integrated meat shop) of the petitioner was refused (i) under Section 25/26 of the Water (Prevention &

Control of Pollution) Act, 1974 (hereinafter referred to as “**Water Act, 1974**”); and (ii) under Section 21/22 of the Air (Prevention & Control of Pollution) Act, 1981 (hereinafter referred to as “**Air Act, 1981**”) as amended and by both the impugned orders, the petitioner has been also directed to comply with the mandatory provisions of Water Act, 1974 and Air Act, 1981.

Though the petitioner had also sought a direction for declaring the provisions of Section 11-A of the Water Act, 1974 as *ultra vires* to the Constitution as well as to the provisions of the Water Act, 1974, however, during the course of arguments, learned Counsel representing the petitioner has given up the said challenge.

FACTUAL MATRIX

- (3) Shorn off unnecessary details, the case of the petitioner as narrated in the pleadings available on record and having gathered from the arguments of the respective parties is that sometimes in the year 2014, the petitioner, M/s Al Haq Foods Pvt. Ltd., applied for ‘No Objection Certificate’ (hereinafter referred to as ‘**NOC**’) for establishment of modern integrated slaughterhouse at U.P.S.I.D.C. Industrial Area, Unnao. The District Magistrate, Unnao, vide order dated 21.05.2015, in consultation with all district stakeholder departments, granted NOC to the petitioner’s unit for establishment of modern integrated slaughterhouse with 69 conditions enumerated in the

said order dated 21.05.2015 itself, however, the period of expiry has not been prescribed in the aforesaid order dated 21.05.2015. Further, condition no. 68 of the aforesaid order dated 21.05.2015 stipulates that it will also be mandatory to follow the instructions given in future, whereas condition no. 69 stipulates that NOC will automatically be deemed to be cancelled for any kind of irregularity or violation of any of the conditions.

- (4) Thereafter, vide office memorandum dated 21.10.2016, the State Level Committee, which has been constituted for implementation of various aspects related to operation of modern integrated slaughterhouse, by the State Government, had issued NOC to the petitioner's unit with 12 conditions. Condition No. 11 stipulates that before starting operation of the project, no-objection will have to be obtained from the Uttar Pradesh Pollution Control Board within three months. It was also stated in the aforesaid office memorandum dated 21.10.2016 that after NOC given by the State Level Committee, the concerned firm will submit an application in accordance with rules to the Member Secretary, U.P. Pollution Control Board, Lucknow, who, in turn after issuing NOC within three months for the operation of the scheme to the concerned firm, shall make available the compliance report to the State Level Committee.

- (5) Pursuant to the aforesaid office memorandum dated 21.10.2016, the petitioner's unit had moved an application for granting NOC to the Member Secretary, U.P. Pollution control Board, Lucknow, which was apparently received in the office of U.P. Pollution Control Board on 21.11.2016. After that the Member Secretary, U.P. Pollution Control Board, Lucknow accorded NOC to the petitioner for establishing the slaughterhouse with certain conditions vide order dated 04.01.2017. The relevant portion of the order dated 04.01.2017 is extracted hereinbelow :-

“महोदय,

कृपया उपरोक्त विषयक अपने अनापत्ति प्रमाण हेतु आवेदन पत्र दिनांक 21.11.16 (प्राप्त) का संदर्भ लें। उद्योग को पर्यावरणीय प्रदूषण के दृष्टिकोण से निम्नलिखित विशिष्ट शर्तों एवं सामान्य शर्तों (संलग्नक) के समुचित अनुपालन के साथ सशर्त अनापत्ति प्रमाण पत्र स्वीकृत किया जाता है।

अनापत्ति प्रमाण पत्र निम्नलिखित विशिष्ट विवरणों के लिए ही निर्गत किया जा रहा है।

| | |
|-----------------------------------|---|
| (क) स्थल: | प्लॉट नं०-एफ- 13, 14, 29, 30, 44, 45, 46 एवम् एच- 72, 73 औ० क्षेत्र, साईट- 2, उन्नाव। |
| (ख) उत्पादन: (ग) सह उत्पाद | फोजेन मीट- 50 टन/दिन, एम०बी०एम०- 20 टन/दिन, टैलो- 10 टन/दिन |
| (घ) मुख्य कच्चे माल: | 300 नग भैंस व भैंसा प्रतिदिन |
| (ङ) औद्योगिक उत्प्रवाह की मात्रा: | 385 किलो लीटर प्रतिदिन |
| (च) प्रयुक्त ईंधन: | डीजल डी०जी० सेट हेतु लकड़ी- 2 टन/दिन राइस हस्क- 2 टन/दिन |

उपर्युक्त विषय वस्तु में से किसी भी प्रकार से परिवर्तन करने पर पुनः अनापत्ति प्रमाण-पत्र प्राप्त करना आवश्यक होगा

1. इकाई का संचालन तब तक प्रारम्भ नहीं किया जाये जब तक कि वह राज्य बोर्ड से जल एवं वायु अधिनियमों के अन्तर्गत सहमति प्राप्त न कर ले। जल एवं वायु सहमति प्राप्त करने हेतु इकाई में संचालन प्रारम्भ करने ककी तिथि से कम से कम 02 माह पहले निर्धारित सहमति आवेदन पत्रों को संचालन पूर्व प्रथम आवेदन का उल्लेख करते हुये इस कार्यालय में अवश्य जमा कर दिया जाये।
2. उद्योग को राज्य स्तरीय समिति द्वारा निर्गत अनापत्ति प्रमाण पत्र की शर्तों का पूर्णतया अनुपालन किया जाये।
3. उद्योग में उत्प्रवाह शुद्धिकरण संयंत्र हेतु दिये गये प्रस्ताव के अनुसार ई०टी०पी० की स्थापना कर शून्य उत्प्रवाह व्यवस्था मेन्टेन रखी जाये।
4. उद्योग में दिये गये प्रस्ताव के अनुसार उचित क्षमता का रेण्डरिंग प्लांट स्थापित किया जाये।
5. उद्योग में दुर्गन्ध के नियंत्रण हेतु उचित क्षमता के बायो फिल्टर की स्थापना की जाये।
6. उद्योग में दिये गये प्रस्ताव के अनुसार गोबर गैस प्लांट की स्थापना की जाये।
7. उद्योग में दिये गये प्रस्ताव के अनुसार वायु प्रदूषण नियंत्रण की व्यवस्था की जाये।
8. उद्योग द्वारा 6 टी०पी०एच० क्षमता के ब्वायलर पर वायु प्रदूषण नियंत्रण व्यवस्था दिये गये प्रस्ताव के अनुरूप स्थापित किया जाय तथा प्रस्तावित डी.जी सेटों पर ध्वनि/वायु प्रदूषण नियंत्रण व्यवस्था नानकों के अनुरूप स्थापित किया जाये।
9. ठोस अपशिष्ट (हैजार्डस वेस्ट) का निस्तारण टी०एस०डी०एफ० में किया जाये।
10. उद्योग परिसर में सघन वृक्षों का रोपण किया जाये।
11. पर्यावरण (संरक्षण) अधिनियम, 1986 के प्राविधानों का अनुपालन किया जाये।
12. प्रक्रिया से जनित वेस्ट का समुचित निस्तारण किया जाये एवं इससे सम्बन्धित रिकार्ड भी रखा जाये।
13. उद्योग परिसर में वर्षा जल संचयन हेतु रूफ टाप रेन वाटर हार्वेस्टिंग व्यवस्था स्थापित की जाये।

14. भू गर्भ जल दोहन हेतु सम्बन्धित विभाग से अनापत्ति प्रमाण पत्र प्राप्त करना अनिवार्य होगा।

15. उद्योग से जनित घरेलू उत्प्रवाह का शुद्धिकरण उचित क्षमता के सेप्टिक टैंक/सोक पिट के माध्यम से किया जाये।

16. जिलाधिकारी उन्नाव द्वारा दिनांक- 21.5.15 को निर्गत अनापत्ति प्रमाण पत्र की शर्तों का पूर्णतया अनुपालन किया जाये।

17. उद्योग से किसी भी प्रकार का उत्प्रवाह परिसर से बाहर निस्तारित न किया जाये।

उपरोक्त शर्तों का अनुपालन न किये जाने की दशा में उद्योग द्वारा प्रेषित बैंक गारन्टी संख्या 36791LG000117, RS. 10,00,000/- बोर्ड के पक्ष में जब्त की जा सकती है।

कृपया ध्यान दें कि उपर्युक्त लिखित विशिष्ट शर्तों एवं सामान्य शर्तों का प्रभावी एवं संतोषजनक अनुपालन न करने पर बोर्ड द्वारा निर्गत अनापत्ति प्रमाण पत्र निरस्त कर दिया जाएगा। बोर्ड का अधिकार सुरक्षित है कि अनापत्ति की शर्तों में संशोधन किया जाय अथवा निरस्त कर दिया जाय। उपर्युक्त विशिष्ट एवं सामान्य शर्तों के सम्बन्ध में उद्योग द्वारा इस कार्यालय में दिनांक 31.02.2017 तक प्रथम अनुपालन आख्या अवश्य प्रेषित की जाए। अनुपालन आख्या नियमित प्रेषित की जाए अन्यथा अनापत्ति प्रमाण पत्र निरस्त भी किया जा सकता है।

भवदीय

सदस्य सचिव"

- (6) A bare perusal of the aforesaid order dated 04.01.2017 reveals that conditions enumerated in the NOC given by the District Magistrate, Unnao vide order dated 21.05.2015 shall be complied with in letter and spirit; the period of aforesaid consent/NOC to establish the slaughterhouse was two months; the petitioner ought to submit first compliance by 31.02.2017; and further progress report was to be submitted from time to time.

- (7) It would be pertinent to mention that in the interregnum, in compliance of the directions issued by the Hon'ble Apex Court in Writ Petition (C) No.330 of 2001 (*Common Cause Vs. Union of India & Ors.*), Writ Petition No. 44 of 2004, Contempt Petition No. 124 of 2015 and connected Writ Petition (C) No. 309 of 2003 (*Laxmi Narain Modi Vs. Union of India and Ors.*) on 17.02.2017, the State Government had issued the Government Order dated 07.07.2017 containing 24 point compendium regarding various compliances.
- (8) Apparently, after lapse of more than two years i.e. on 12.06.2019, the petitioner, after creation of all requisite paraphernalia and after establishing the industry, applied for grant of 'consent to operate' (CTO) under Sections 25 (1) (b) and 26 of the Water Act, 1974 and under Section 21 read with section 22 of the Air Act, 1981, which was rejected by means of order dated 06.11.2019 *inter alia* on the ground that the petitioner had not yet submitted the required clarification/information regarding the compliance of 24 points compendium as per Government Order dated 07.07.2017. This order dated 06.11.2019 had attained finality as it was never assailed by the petitioner. However, on 06.06.2020, the petitioner again applied to the Uttar Pradesh Pollution Control Board for 'consent to operate' under Section 25 (1) (b) and Section 26 of the Water Act, 1974 and Sections 21 read with Section 22 of the Air Act, 1981, which again came to be rejected vide impugned orders

dated 11.07.2020, stating that it is required from the Project Proponent to submit the re-validated NOCs from different departments as well as from the State Level Committee according to Government Order dated 07.07.2017.

- (9) The impugned orders record that the petitioner had not submitted compliance of different points raised in previous CTO rejection letter dated 06.11.2019. In respect of compliance of 24 points compendium, although the impugned orders record that the petitioner had submitted NOC of CVO dated 06.5.2020, NOC from ARTO dated 14.05.2020 and application submitted for NOC from Food Safety and Standards Authority, dated 19.05.2020, however it also records that the petitioner had not submitted re-validated NOCs from District Magistrate, Unnao and State Level Committee set up for considering grant of NOC for establishing slaughterhouse units.
- (10) It is these orders dated 11.07.2020, which are under challenge in the instant writ petition.

MAINTAINABILITY OF THE WRIT PETITION

- (11) Learned Senior Counsel representing the U.P. Pollution Control Board has raised a preliminary objection regarding maintainability of the writ petition and has contended that the instant petition under Article 226 of the Constitution of India is not maintainable in view of the availability of an alternative statutory remedy of appeal against the order of refusal of

consent before the National Green Tribunal under Section 28 of Water Act, 1974 and Section 31 of the Air Act.

- (12)** The learned Counsel representing the petitioner, on the other hand, has made objection to the aforesaid submission of the learned Senior Counsel representing the U.P. Pollution Control Board and vehemently argued that the instant writ petition is maintainable. His submission is that alternative remedy is not an absolute bar, rather it is a self-imposed restriction to be exercised on the well settled principle that an exercise suffering from want of jurisdiction, vice of violation of principle of natural justice or in violation of fundamental right or statutory right, can be a subject matter of challenge in a writ petition under Article 226 of the Constitution of India can be entertained. According to the learned Counsel, in the instant case, the impugned orders have been passed without undertaking any exercise of inspection etc. as contemplated under Section 25 (3) of the Water Act, 1974 read with Rule 5 of the U.P. Water (consent of discharge of sewage and trade effluents) Rules, 1981 and Section 21 (3) of the Air Act, 1981 read with Rule 28 of the U.P. Air (Prevention and Control of Pollution) Rules, 1983. Therefore, it is the submission of the learned Counsel that the impugned orders cannot be termed to have been passed under Section 25 (2) (b) of the Water Act, 1974 and under Section 21 (4) of the Air Act, 1981 as has been camouflaged by the impugned orders. He further argued that

the principle of natural justice was not followed by the statutory authorities before passing of the impugned orders and as such the same are in violation of the fundamental rights granted to the petitioner under Article 19 (1) (c) and Article 14 of the Constitution of India as no opportunity of hearing was afforded to the petitioner before undertaking the impugned exercise. Hence the instant writ petition was maintainable before this Court.

- (13)** To strengthen his submission, he has placed reliance upon the judgments of the Apex Court in **Radha Krishan Industries Vs. State of Himachal Pradesh and others** : (2021) 6 SCC 771, **M/s Magadh Sugar & Energy Ltd. Vs. The State of Bihar & others** (Civil Appeal No.5728 of 2021 decided on 24.09.2021) and the judgment of this Court in **Rajendra Prasad Upadhyay Vs. State of U.P. and others** (Special Appeal No. 73 of 2012, decided on 19.03.2012) and **Piscesia Sarvonik Jv LLP through Designated Partner DLF Corporate Park Haryana Vs. State of U.P. and others** (Criminal Misc. Writ Petition No. 1008 of 2003, decided on 15.02.2023).
- (14)** Both the parties have been heard at considerable length on the preliminary issue as to whether the petitioner be relegated to avail the remedy to file an appeal under Section 28 of the Water Act and Section 31 of the Air Act before the National Green Tribunal or in the presence of such remedy, whether the instant writ petition is maintainable or not.

(15) Having heard the learned Counsels on the issue of preliminary hearing, this Court is of the view that the existence of alternative remedy is not an absolute bar, is a legal proposition, which does not require any detailed discussion. It is settled law that while a High Court would normally not exercise its writ jurisdiction under Article 226 of the Constitution of India, if an effective and efficacious alternative remedy is available and the existence of an alternate remedy does not by itself *per se* bar the High Court from exercising its jurisdiction in certain contingencies. This principle has been crystallized by the Hon'ble Apex Court in **Whirpool Corporation v. Registrar of Trademarks, Mumbai** : (1998) 8 SCC 1 and **Harbanslal Sahni v. Indian Oil Corporation Ltd** :(2003) 2 SCC 107. In **Radha Krishan Industries v. State of Himachal Pradesh & Ors (supra)**, wherein the Hon'ble Apex Court has summarized the principles governing the exercise of writ jurisdiction by the High Court in the presence of an alternate remedy. The Apex Court has observed as under :-

“28. The principles of law which emerge are that:

(i) The power under Article 226 of the Constitution to issue writs can be exercised not only for the enforcement of fundamental rights, but for any other purpose as well;

(ii) The High Court has the discretion not to entertain a writ petition. One of the restrictions placed on the power of the High Court is where an effective alternate remedy is available to the aggrieved person;

(iii) Exceptions to the rule of alternate remedy arise where

(a) the writ petition has been filed for the enforcement of a fundamental right protected by Part III of the Constitution; (b) there has been a violation of the principles of natural justice; (c) the order or proceedings are wholly without jurisdiction; or (d) the vires of a legislation is challenged;

(iv) An alternate remedy by itself does not divest the High Court of its powers under Article 226 of the Constitution in an appropriate case though ordinarily, a writ petition should not be entertained when an efficacious alternate remedy is provided by law;

(v) When a right is created by a statute, which itself prescribes the remedy or procedure for enforcing the right or liability, resort must be had to that particular statutory remedy before invoking the discretionary remedy under Article 226 of the Constitution. This rule of exhaustion of statutory remedies is a rule of policy, convenience and discretion; and

(vi) In cases where there are disputed questions of fact, the High Court may decide to decline jurisdiction in a writ petition. However, if the High Court is objectively of the view that the nature of the controversy requires the exercise of its writ jurisdiction, such a view would not readily be interfered with."

(emphasis supplied)

- (16)** No doubt, the Hon'ble Apex Court has reserved the residual power of the High Court to entertain writ petition in case of enforcement of fundamental rights, however, the Hon'ble Apex Court has also held that in case where there are disputed questions of fact, the High Court would ordinarily refrain from exercising its writ jurisdiction. At this juncture, it would be apt to mention that a three judge Bench of the Apex Court in **Sree Meenakshi Mills Ltd. v Commissioner of Income Tax** : AIR 1957 SC 49 succinctly explained the tests for the identification

of questions of fact, questions of law and mixed questions of law and facts. The Apex Court observed that :-

“9.To take an illustration, let us suppose that in a suit on a promissory note the defence taken is one of denial of execution. The court finds that the disputed signature is unlike the admitted signatures of the defendant. It also finds that the attesting witnesses who speak to execution were not, in fact, present at the time of the alleged execution. On a consideration of these facts, the court comes to the conclusion that the promissory note is not genuine, Here, there are certain facts which are ascertained, and on these facts, a certain conclusion is reached which is also one of fact.

10. In between the domains occupied respectively by questions of fact and of law, there is a large area in which both these questions run into each other, forming so to say, enclaves within each other. The questions that arise for determination in that area are known as mixed questions of law and fact. These questions involve first the ascertainment of facts on the evidence adduced and then a determination of the rights of the parties on an application of the appropriate principles of law to the facts ascertained. To take an example, the question is whether the defendant has acquired title to the suit property by adverse possession. It is found on the facts that the land is a vacant site that the defendant is the owner of the adjacent residential house and that he has been drying grains and cloth and throwing rubbish on the plot. The further question that has to be determined is whether the above facts are sufficient to constitute adverse possession in law. Is the user continuous or fugitive? Is it as of right or permissive in character? Thus, for deciding whether the defendant has acquired title by adverse possession the court has firstly to find on an appreciation of the evidence what the facts are. So far, it is a question of fact. It has then to apply the principles of law regarding acquisition of title by adverse possession, and decide whether on the facts established by the evidence,

the requirements of law are satisfied. That is a question of law.”

- (17)** Therefore, the test that is to be applied for the determination of a question of law is whether the rights of the parties before the Court can be determined without reference to the factual scenario. In this case, as has been argued, refusal to grant ‘consent to operate’ by means of the impugned orders dated 11.07.2020 is violative of right to occupation, trade and business as guaranteed under Article 19 (g) of the Constitution of India, particularly the background of the fact that the petitioner has a right to run the business in respect of which the permission to establish the unit was accorded by U.P. Pollution Control Board by means of letter dated 04.01.2017. Apparently the issues raised by the petitioner are questions of law which can be decided upon a comprehensive reading of various provisions of Water Act, 1974, Air Act, 1981 and other provisions of the Act as well as various Government Orders and legal propositions on the issue to grant of ‘consent to operate’ the modern slaughterhouse. Thus, we are of the considered opinion that the questions raised by the petitioner can be adjudicated without delving upon any factual dispute. Thus, we proceed to hold the instant petition maintainable under Article 226 of the Constitution of India.
- (18)** For the reasons aforesaid, we are persuaded to entertain the instant writ petition while rejecting objection regarding

maintainability of the writ petition raised by the learned Senior Counsel representing the U.P. Pollution Control and the learned Counsel representing the State.

SUBMISSIONS OF THE PARTIES ON MERIT OF THE CASE

- (19)** Challenging the impugned orders by which ‘consent to operate’ under Section 25/26 of the Water Act, 1974 and 21/22 of Air Act, 1981 has been refused, learned Counsel for the petitioner has contended that Government Order dated 07.07.2017 was issued in furtherance of judgment and order dated 17.02.2017 passed by the Apex Court in Writ Petition (C) No. 330 of 2021 (*Common Cause A Regd. Society Vs. Union of India and others*), requiring the Central Government to issue directions in furtherance of recommendation made by the Committee appointed by the Apex Court. The said Government Order dated 07.07.2017 supersedes some of the provisions of Government Order dated 26.11.2014, which stood irrelevant in view of 24 points compendium.
- (20)** Learned Counsel for the petitioner has submitted that the applicability of the compendium enumerated in the Government Order dated 07.07.2017 is to be categorized mainly under the three heads viz. (i) pre-slaughter; (ii) during slaughter; and (iii) post slaughter. All the conditions as stipulated in the compendium pertaining to (i) pre-slaughter as mentioned above, have already been complied with by the petitioner, however, condition pertaining to aforesaid (ii) during slaughter

and (iii) post-slaughter will be complied with only after the unit of the petitioner is permitted to be made functional and operational after grant of 'consent to operate' by the State Pollution Board. He argued that the Government Order dated 07.07.2017 does not provide the steps to be taken for pre-establishing consent or pre-operational or post-establishing consent during the operation of the Government Order dated 26.11.2014. He submits that the petitioner's unit has already been established prior to 2017 and certain permission can be obtained only while operating the unit. Thus, the Government Order dated 07.07.2017 does not operate retrospectively, particularly as it provides for modernizing of already operational industries and also for establishing new industries on the basis of latest livestock census.

- (21)** Learned Counsel for the petitioner has further submitted that 24 points compendium enumerated in the Government Order dated 07.07.2017 relates to various statutory prescriptions, most of which relate to the operational stage of meat industry. According to the learned Counsel, some of the statutory prescriptions as contained in some of the statutes also relate to establishment stage which are the same as provided as conditions of consent for establishment dated 04.01.2017 given by the U.P. Pollution Control Board to the petitioner. Thus, Government Order dated 07.07.2017 does not require that the NOC issued earlier by the District Magistrate, Unnao or by the

State Level Committee would require any re-validation. In any case, the learned Counsel submits that the NOC granted by the District Magistrate or the State Level Committee having no expiry period mentioned therein, the issuance of the impugned orders are wholly arbitrary and illegal.

- (22)** Placing reliance upon the judgments of the Apex Court in **State of Madhya Pradesh and others Vs. Tikamdas** : (1975) 2 SCC 100, **Chairman Railway Board and others Vs. C.R. Rangadhamaiah and others** : (1976) 6 SCC 623, **J.S. Yadav Vs. State of U.P.** : (2011) 6 SCC 570, **Canara Bank and another Vs. M. Mahesh Kumar** : (2015) 7 SCC 412, **Bharat Sanchar Nigam Ltd. Vs. Tata Communication Ltd.** : (2022) SCC On-Line SC 1280, learned Counsel for the petitioner has submitted that a Government Order otherwise also cannot have any retrospective operation nor can it override any statutory prescriptions. It also cannot divest a person of any already vested or accrued right, more particularly in the case in hand, wherein more than Rs. 200 Crore have been already invested by the petitioner in establishing the meat industry in furtherance of NOC/consent for its establishment having been granted by the State functionaries.
- (23)** Learned Counsel for the petitioner, thus, has submitted that it is not the case of the respondents that the petitioner's industry is lacking any requirement for establishment of meat industry as

per conditions imposed vide consent for establishment, dated 04.01.2017. He submits that the adherence to all other statutory conditions as mentioned in the statutes comprising 24 points compendium are to be checked and verified only after the industry comes into operation. In this backdrop, his submission is that the impugned orders are wholly arbitrary, illegal and unconstitutional.

- (24) The learned Counsel for the petitioner addressing to the plea of the respondents that the petitioner has not challenged the order dated 30.07.2020 rejecting the request of reviewing the impugned order dated 11.07.2020, has placed reliance upon the judgment of the Apex Court in **DSR Steel (Private) Limited Vs. State of Rajasthan and others** : (2012) 6 SCC 782 and **Bussa Overseas and Properties Private Limited and another Vs. Union of India** : (2016) 4 SCC 696 and has argued that the order dated 30.07.2020 need not to be challenged as doctrine of merger does not stand attracted in a situation where prayer for review has been refused.
- (25) So far as prayer being made on behalf of the U.P. Pollution Control Board for deferring of the hearing the writ petition in view of the order dated 03.05.2023 passed by National Green Tribunal in O.A. No. 879 of 2012 (IA No. 38 of 2022) is concerned, learned Counsel for the petitioner has submitted that the order dated 03.05.2023 passed by the National Green Tribunal, Principal Bench, New Delhi in O.A. No. 879 of 2022

(Gauri Maulekhi Vs. Union of India and others) does not provide that an already established meat industry shall not be allowed to operate. His submission is that environmental concerns in regard to the meat industry stand regulated under the Water Act, 1974 and the Air Act 1981 and as and when the Environmental Protection Notification 2006 framed under the Environmental Protection Act, 1986 would proceed to include a meat industry, the relevant norms would have to be adhered to by all the industries including the petitioner. Thus, the application for deferment of hearing is misconceived.

- (26)** Learned Senior Counsel representing the U.P. Pollution Control Board has vehemently opposed the aforesaid arguments advanced by the learned Counsel for the petitioner and has argued that in the Government Order dated 07.07.2017 itself, it has been mentioned that Government Order dated 26.11.2014 has been superseded, therefore, all NOCs granted pursuant to the Government Order dated 26.11.2014 stood superseded. He argued that in para-3 of the Government Order dated 07.07.2017, various statutes from point no. 1 to 24 have been referred. While disposing of the application of the petitioner for 'consent to operate' as regards point nos. 13 to 20 and 24 which relates to U.P. Pollution Control Board, it has been mentioned that the compliance verification of these points will be possible only during the operation of the industry. The

petitioner has not submitted the clarification/information in the compliance of 24 points compendium.

- (27)** Learned Senior Counsel has drawn our attention to para-3 of the Government Order dated 07.07.2017 and has argued that so far as the earlier Government Order dated 26.11.2014 is concerned, it has become irrelevant as several provisions in view of the Government Order dated 07.07.2017 have become irrelevant/redundant. He argued that a bare perusal of the points no. 1 to 12 of the Government Order dated 07.07.2017, it is apparent that various enactments referred in the compendium have been amended and certain important provisions for its compliance have been inserted. Furthermore in sub-para (4) of para-4 of the Government Order dated 07.07.2017, it has been mentioned that for establishment of slaughter house, the data collected by the Committee constituted under the aforesaid paras relating to livestock will be relevant and if the District Level Committee finds the justification of establishment of Slaughterhouse, it will be placed before the District Level Committee whose recommendations will be placed before the State Level Committee which will take the decision with regard to establishment of Slaughterhouse.

ANALYSIS

- (28)** Having heard learned Counsel for the parties and having traversed the aforesaid facts and the provisions that have been placed before us as well as the decisions and directions of the

Apex Court, there is no dispute to the fact that pursuant to the NOC having been granted by the District Magistrate vide order dated 21.05.2015 and thereafter by the State Level Committee vide order dated 21.10.2016 and also by the U.P. Pollution Control Board vide order dated 04.01.2017, the petitioner has established modern slaughterhouse plant and has applied for 'consent to operate' the plant, which has been refused by means of the impugned orders dated 11.07.2020 *inter alia* on the grounds that the petitioner has not submitted re-validated NOCs from District Magistrate, Unnao, State Level Committee related for slaughterhouse unit.

- (29)** Water Act, 1974 is a comprehensive legislation that regulates agencies responsible for checking on water pollution and ambit of Pollution Control Boards both at the level of Centre and States. The Water Act, 1974 was adopted by the Indian parliament with the aim of prevention and control of water pollution in India. Section 25 of the Act, 1974 states that prior consent of the State Board under Section 25 of the Act, 1974 is necessary to set up any industry, plant or process which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land or bring into use any new or altered outlets for the discharge of sewage or begin to make any new discharge of sewage. Section 25 of the Water Act, 1974 further states that every State Board is liable to maintain a register containing particulars or conditions imposed under the section related to

any outlet, or to any effluent, from any land or premises which must be open to inspection by the state board. Section 25 of the Water Act, 1974 is extracted hereinbelow :-

“25. Restrictions on new outlets and new discharges.—

(1) Subject to the provisions of this section, no person shall, without the previous consent of the State Board,—

(a) establish or take any steps to establish any industry, operation or process, or any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land (such discharge being hereafter in this section referred to as discharge of sewage); or

(b) bring into use any new or altered outlet for the discharge of sewage; or

(c) begin to make any new discharge of sewage: Provided that a person in the process of taking any steps to establish any industry, operation or process immediately before the commencement of the Water (Prevention and Control of Pollution) Amendment Act, 1988, for which no consent was necessary prior to such commencement, may continue to do so for a period of three months from such commencement or, if he has made an application for such consent, within the said period of three months, till the disposal of such application.

(2) An application for consent of the State Board under sub-section (1) shall be made in such form, contain such particulars and shall be accompanied by such fees as may be prescribed.]

(3) The State Board may make such inquiry as it may deem fit in respect of the application for consent referred to in sub-section (1) and in making any such inquiry shall follow such procedure as may be prescribed. 2[(4) The State Board may—

(a) grant its consent referred to in sub-section (1), subject to such conditions as it may impose, being—

(i) in cases referred to in clauses (a) and (b) of sub-section (1) of section 25, conditions as to the point of discharge of sewage or as to the use of that outlet or any other outlet for discharge of sewage;

(ii) in the case of a new discharge, conditions as to the nature and composition, temperature, volume or rate of discharge of the effluent from the land or premises from which the discharge or new discharge is to be made; and

(iii) that the consent will be valid only for such period as may be specified in the order, and any such conditions imposed shall be binding on any person establishing or taking any steps to establish any industry, operation or process, or treatment and disposal system or extension or addition thereto, or using the new or altered outlet, or discharging the effluent from the land or premises aforesaid; or

(b) refuse such consent for reasons to be recorded in writing.

(5) Where, without the consent of the State Board, any industry, operation or process, or any treatment and disposal system or any extension or addition thereto, is established, or any steps for such establishment have been taken or a new or altered outlet is brought into use for the discharge of sewage or a new discharge of sewage is made, the State Board may serve on the person who has established or taken steps to establish any industry, operation or process, or any treatment and disposal system or any extension or addition thereto, or using the outlet, or making the discharge, as the case may be, a notice imposing any such conditions as it might have imposed on an application for its consent in respect of such establishment, such outlet or discharge.

(6) Every State Board shall maintain a register containing particulars of the conditions imposed under this section and so much of the register as relates to any outlet, or to any effluent, from any land or premises shall be open to inspection at all reasonable hours by any person interested in, or affected by such outlet, land or premises, as the case may be, or by any person authorised by him in this behalf and the conditions so contained in such register shall be conclusive proof that the consent was granted subject to such conditions.]

(7) The consent referred to in sub-section (1) shall, unless given or refused earlier, be deemed to have been given unconditionally on the expiry of a period of four months of the making of an application in this behalf complete in all respects to the State Board.

(8) For the purposes of this section and sections 27 and 30,—

(a) the expression "new or altered outlet" means any outlet which is wholly or partly constructed on or after the commencement of this Act or which (whether so constructed or not) is substantially altered after such commencement;

(b) the expression "new discharge" means a discharge which is not, as respects the nature and composition, temperature, volume, and rate of discharge of the effluent substantially a continuation of a discharge made within the preceding twelve months (whether by the same or a different outlet), so however that a discharge which is in other respects a continuation of previous discharge made as aforesaid shall not be deemed to be a new discharge by reason of any reduction of the temperature or volume or rate of discharge of the effluent as compared with the previous discharge."

- (30)** Section 26 of the Water Act is the provision regarding existing discharge of sewage or trade effluent and the same is reproduced as under :-

"Where immediately before the commencement of this Act any person was discharging any sewage or trade effluent into a stream or well or sewer or on land, the provisions of section 25 shall, so far as may be, apply in relation to such person as they apply in relation to the person referred to in that section subject to the modification that the application for consent to be made under sub-section (2) of that section shall be made on or before such date as may be specified by the State Government by notification in this behalf in the Official Gazette."

- (31)** Section 21 of the Air Act, 1974 prevents a person from establishing or operating any industrial plant in the air pollution control area without the previous consent of the Board. Sub-clause (4) of Section 21 of the Air Act, 1974 empowers the Board to either grant or to refuse to grant the consent by passing an appropriate order. The proviso to the sub-clause (4)

of Section 21 of the Air Act, 1974 also empowers the Board to cancel a consent before the expiry of the period for which it had been granted in case the conditions for grant of consent are not fulfilled. Section 21 of the Air Act, 1974 is reproduced as under :-

“21. Restrictions on use of certain industrial plants.

(1) Subject to the provisions of this section, no person shall, without the previous consent of the State Board, establish or operate any industrial plant in an air pollution control area :

Provided that a person operating any industrial plant in any air pollution control area immediately before the commencement of section 9 of the Air (Prevention and Control of Pollution) Amendment Act, 1987 (47 of 1987), for which no consent was necessary prior to such commencement, may continue to do so for a period of three months from such commencement or, if he has made an application for such consent within the said period of three months, till the disposal of such application.

(2) An application for consent of the State Board under sub-section (1) shall be accompanied by such fees as may be prescribed and shall be made in the prescribed form and shall contain the particulars of the industrial plant and such other particulars as may be prescribed :

Provided that where any person, immediately before the declaration of any area as an air pollution control area, operates in such area any industrial plant, such person shall make the application under this sub-section within such period (being not less than three months from the date of such declaration) as may be prescribed and where such person makes such application, he shall be deemed to be operating such industrial plant with the consent of the State Board until the consent applied for has been refused, (3) The State Board may make such

inquiry as it may deem fit in respect of the application for consent referred to in sub-section (1) and in making any such inquiry, shall follow such procedure as may be prescribed.

(4) Within a period of four months after the receipt of the application for consent referred to in sub-section (1), the State Board shall, by order in writing, and for reasons to be recorded in the order, grant the consent applied for subject to such conditions and for such period as may be specified in the order, or refuse such consent.

Provided that it shall be open to the State Board to cancel such consent before the expiry of the period for which it is granted or refuse further consent after such expiry if the conditions subject to which such consent has been granted are not fulfilled:

Provided further that before cancelling a consent or refusing a further consent under the first provision, a reasonable opportunity of being heard shall be given to the person concerned.

(5) Every person to whom consent has been granted by the State Board under sub-section (4), shall comply with the following conditions, namely

-

(i) the control equipment of such specifications as the State Board may approve in this behalf shall be installed and operated in the premises where the industry is carried on or proposed to be carried on;

(ii) the existing control equipment, if any, shall be altered or replaced in accordance with the directions of the State Board;

(iii) the control equipment referred to in clause (i) or clause (ii) shall be kept at all times in good running condition;

(iv) chimney, wherever necessary, of such specifications as the State Board may approve in this behalf shall be erected or re-erected in such premises;

(v) such other conditions as the State Board, may specify in this behalf; and

(vi) the conditions referred to in clauses (i), (ii) and (iv) shall be complied within such period as the State Board may specify in this behalf :

Provided that in the case of a person operating any industrial plant in an air pollution control area immediately before the date of declaration of such area as an air pollution control area, the period so specified shall not be less than six months :

Provided further that-

(a) after the installation of any control equipment in accordance with the specifications under clause (i), or

(b) after the alteration or replacement of any control equipment in accordance with the directions of the State Board under clause (ii), or

(c) after the erection or re-erection of any chimney under clause (iv), no control equipment or chimney shall be altered or replaced or, as the case may be, erected or re-created except with the previous approval of the State Board.

(6) If due to any technological improvement or otherwise the State Board is of opinion that all or any of the conditions referred in to sub-section (5) require or requires variation (including the change of any control equipment, either in whole or in part), the State Board shall, after giving the person to whom consent has been granted an opportunity of being heard, vary all or any of such conditions and thereupon such person shall be bound to comply with the conditions as so varied.

(7) Where a person to whom consent has been granted by the State Board under sub-section (4) transfers his interest in the industry to any other person, such consent shall be deemed to have been granted to such other person and he shall be bound to comply with all the conditions subject to which it was granted as if the consent was granted to him originally.”

(32) A bare perusal of the aforesaid provisions clearly reveals that the Board is bestowed with three different powers, namely, the power to grant the ‘consent to operate’, the power to renew the

said consent and the power to revoke the said consent prior to the end of the term for which the consent order is given. Sub-clause (3) of Section 21 imposes a legal duty that in case an application for consent is filed under sub-section (1), then the Board shall inquire and follow such procedure as may be prescribed.

- (33)** Section 21 (4) of the Act empowers the Board to either grant the consent to operate or to refuse such consent. However, while exercising either of the two powers, the Board is required to record its reasons for granting, for imposing the conditions, or for refusing to grant the consent. The first proviso to Section 21(4) further empowers the Board to revoke the consent to operate in case the conditions subject to which such a consent had been granted, are not fulfilled. According to second proviso, before cancelling a consent or refusing a further consent (renewal of consent) a reasonable opportunity of being heard has to be given to the person concerned. Section 21 (5) of the Act lays down the conditions which need to be complied with by the operating unit.
- (34)** It is, indeed, a settled principle of law that if a procedure has been prescribed under a statute, the appropriate authority is legally bound to adhere to the said procedure.
- (35)** The stand of the petitioner is that once the petitioner has already been granted NOCs for establishing the modern slaughterhouse

and in pursuance of that the petitioner has established the modern slaughterhouse, therefore, after establishment of the unit, the refusal to grant 'consent to operate' by asking the petitioner to seek re-validation of the NOCs from District Magistrate and the State Level Committee related for slaughterhouse units, by means of the impugned orders under the garb of Government Order dated 07.07.2017, is arbitrary and illegal.

- (36) This Court finds that although it is not the case of the U.P. Pollution Control Board that it has made any attempt to either prohibit slaughtering or vending of animal food, however they have taken a consistent stand that they are empowered under both the Acts i.e. Water Act and Air Act to regulate this business and vending for ensuring lawful methods to be adopted and to prevent unlawful methods for carrying of such trade and business in order to protect the environment in the light of the decision of the Apex Court dated 17.02.2017 rendered in **Common Cause Vs. Union of India (supra)**, **Laxmi Narayan Modi Vs. Union of India (supra)** as well as Government Order dated 07.07.2017 issued in compliance of the aforesaid decisions of the Apex Court and the order dated 03.05.2023 passed by the National Green Tribunal in Original Application No. 879 of 2022 : *Gauri Maulekhi Vs. Union of India and others*. There is also no dispute that such trade and business can be regulated including by licensing provisions. There is also no

dispute that such trade and business has been permitted by the appropriate regulations under the relevant laws and the Rules and Regulations. Thus in the absence of any such plea on behalf of the U.P. Pollution Control Board to impose prohibition of such trade and business which also is not directly reflected in the Government Order dated 07.07.2017, there cannot be any assumption or presumption of such prohibition or else that would violate constitutional rights and the fundamental rights guaranteed under the Constitution of India.

(37) At this juncture, it would be apt to mention that the Government Order dated 07.07.2017 deals with the 'consent to operate' the modern slaughterhouse. The Government Order dated 07.07.2017 is reproduced as under :-

संख्या-3710/नौ-8-2017-2 सी.एस/12 टी.सी.

प्रेषक,
कुमार कमलेश,
प्रमुख सचिव,
उत्तर प्रदेश।

सेवा में,

1. समस्त मण्डलायुक्त, उत्तर प्रदेश।
2. निदेशक, नगरीय निकाय, उत्तर प्रदेश, लखनऊ।
3. समस्त जिलाधिकारी, उत्तर प्रदेश।
4. समस्त नगर आयुक्त, नगर निगम, उत्तर प्रदेश।
5. समस्त अधिशासी अधिकारी, नगरपालिका परिषद/ नगर पंचायत, उत्तर प्रदेश।

नगर विकास अनुभाग-8

लखनऊ:: दिनांक 07 जुलाई, 2017

विषय: मा० सर्वोच्च न्यायालय द्वारा रिट याचिका (सिविल) संख्या-330/2001 काम काज बनाम भारत संघ, रिट याचिका संख्या- 44/2004, अवमानना याचिका संख्या-124/2015 के साथ संलग्न रिट याचिका संख्या-309/2003 लक्ष्मी नारायण मोदी बनाम यूनियन ऑफ इण्डिया व अन्य में पारित आदेश दिनांक 17.02.2017 के अनुपालन में पशुवधशालाओं के संचालन के सम्बन्ध में अद्यतन दिशा-निर्देश।

महोदय,

मा० सर्वोच्च न्यायालय में पशुवधशालाओं से सम्बन्धित विभिन्न बिन्दुओं के सम्बन्ध में दायर रिट याचिका – (सिविल) 309/2003, लक्ष्मीनारायण मोदी बनाम यूनियन आफ इण्डिया के सम्बन्ध में मा० सर्वोच्च न्यायालय द्वारा समय-समय पर पारित किये गये आदेशों के अनुपालन में सचिव, भारत सरकार, पर्यावरण एवं वन मंत्रालय के अर्द्ध शा० पत्र संख्या - 7/4/2011- ए. डब्लू. डी. दिनांक 02.07.2012 में दिये गये दिशा-निर्देशों के अनुक्रम में उत्तर प्रदेश के अन्तर्गत राज्य सरकार द्वारा पशुवधशालाओं के संचालन से सम्बन्धित विषयों के क्रियान्वयन हेतु शासन के कार्यालय ज्ञाप संख्या- 1838/नौ- 8-2012-2 सी.एस./2012 दिनांक 11 सितंबर, 2012 द्वारा "राज्य स्तरीय समिति" का गठन किया गया है, जिसमें प्रमुख सचिव/सचिव, पशुधन, गृह, चिकित्सा एवं स्वास्थ्य, पर्यावरण, पंचायतीराज, श्रम विभाग तथा पुलिस महानिदेशक, उत्तर प्रदेश आदि को समिति में सदस्य के रूप में नामित किया गया है। पशुवधशालाओं के संचालन हेतु गठित "राज्य स्तरीय समिति" को सौंपे गये दायित्वों के अंतर्गत प्रदेश में स्थित पुरानी पशुवधशालाओं का आधुनिकीकरण तथा आधुनिक पशुवधशालाओं की स्थापना किये जाने की योजना शासनादेश संख्या-2394/नौ-8-2014-03 पी(बजट)/2014 दिनांक 26.11.2014 लागू की गयी थी।

2. मा० सर्वोच्च न्यायालय द्वारा रिट याचिका (सिविल) संख्या-330/2001 कामन काज बनाम भारत संघ, रिट याचिका संख्या- 44/2004, अवमानना याचिका 124/2015 के साथ संलग्न रिट याचिका संख्या - सिविल 309/2003, लक्ष्मीनारायण मोदी बनाम यूनियन आफ इण्डिया एवं अन्य में पशुवधशालाओं से सम्बन्धित रिट याचिकाओं पर सुनवाई करते हुए दिनांक 17.02.2017 को पारित निर्णय (Judgement) के सुसंगत अंश निम्नवत है:-

"Pursuant to our orders dated 26.09.2016 and 28.10.2016, a compendium of the Indian Standards has been prepared along with all relevant material in consultation with all the stake-holders. The Union of India is directed to print the compendium in sufficient numbers and circulate it to all the State Governments and Union Territories for compliance. The Union of India will comply with our orders within six weeks from today. In the event there is non-compliance with the Indian Standards, other rules and regulations, the petitioners are entitled to approach the concerned district collector or the judicial authorities, as the case may be in a given specific instance."

3. मा० उच्चतम न्यायालय द्वारा केन्द्र सरकार/ राज्य सरकार के विभिन्न विभागों द्वारा compendium में विभिन्न अधिनियमों, नियमों, दिशा-निर्देशों के अनुसार पशुवधशालाओं की स्थापना/ मीटशॉप का संचालन किये जाने हेतु निम्न प्राविधान प्रसारित किये गये हैं:-

| S.N. | STATUS/STANDARD/GUIDELINE |
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| 1. | Prevention of Cruelty to Animals Act, 1960 (relevant Sections: 3(p.3), 9(b) (p.6), Section 9 (e) (p.6), 11 (p.7,8) and 38(P.15,16) |
| 2. | Transport of Animals Rules, 1978(as amended in 2001 and 2009) |
| 3. | Prevention of cruelty to Animals (Transport of Animals of Foot) Rules 2000 |
| 4. | Prevention of Cruelty to Animals (Slaughter House) Rules 2001 |

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| 5. | Performa for Ante and Post Mortem Fitness Certificates to be issued by the veterinary Doctor after examining the animals before and after slaughter of animals as per Rule 4(3) of the Prevention of Cruelty to Animals (Slaughter House) Rules, 2001 [Relevant documents: Letter from AWBI to Director/Commissioner, Municipal Administration of all States and Union Territories, dated 17.10.2016 (p.49); Letter from AWBI to CEO Food Safety & Standards Authority, dated 17.10.2016(p.50) Letter from FSSAI to All Central Licensing Authorities and Commisioners of food safety of all States/UT's (p.51) |
| 6. | Draft Prevention Of Cruelty to Animals (Regulation of livestock market) Rules 2016 |
| 7. | Central Motor Vehicles (Eleventh Amendment) Rules, 2015[Relevant Rules: Rule 125 E(p.62) |
| 8. | Central Motor Vehicles (13 th Amendment) Rules, 2016 [Relevant Rules: Rule 125 E(p.71) |
| 9. | Food Safety and Standards Act 2006 [Relevant Sections-Section 92 (p.118,119)] |
| 10. | Food Safety and Standards (Licensing and Registration of food Additives) Regulations 2011 [Relevant regulations Part IV (p. 161-178)] |
| 11. | Food Safety and Standards (Food Products Standards and Food Additives) Regulations 2011 [Relevant regulations- Regulation 2.5 (p. 265)] |
| 12. | Agriculture and Processed Food Product Export Development Authority (Amendment) Act, 2009 [Relevant Sections-section 4 (p.344) and section 12 (p.349)] |
| 13. | Environment Protection Act 1986 [Relevant Section-6 & 25(p.356) |
| 14. | The Environment (Protection) Rules, 1986 [Relevant Rules-Effluent Discharge Standards. S. No. 509(p.357) |
| 15. | (Revised Draft) Effluent Discharge Standards for Slaughter House to be notified by the MoEF [Relevant Rules- Effluent Discharge Standards. S.No. 50 (p. 360) |
| 16. | The water (Preservation and Control of Pollution) Act, 1974 [Relevant Section 24(p.373, 374) , 25 (p.374), 26 (p.375), 27 (p.375,376),28 (p.376)& 33B(p. 378)] |
| 17. | The Water (Preservation and Control of Pollution) Act, 1975[Relevant Rules: Form XIII(p.410)] |
| 18. | The Air (Prevention and Control of Pollution) Act 1981, [Relevant Section- 21 (p.441), 21A (p.443),23 (p.443), 24 (p.443,444), 31A (p.446),31B (p.446), 37 (p.448), 40(p.448,449), & 41(p.449)] |
| 19. | The Municipal Solid Wastes (Management & Handling) Rules 2000 [Relevant Rules-7 (p.456), Schedule II-S.No.1 (iii)(p.458), 4(p.459), 5.(p.459,460),6(p.460), Form II Clause 6 (ii) (p.472)] |
| 20. | The National Green Tribunal Act 2010 [Relevant sections 14(p.482),16(p.483)] |
| 21. | IS 8895:2015 Handling Storage and Transport of Slaughter house by- produce Guidelines(First revision) |
| 22. | IS 1982:2015 Ante Mortem and post mortem inspection of meat |

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| | animals- Code of practice (second revision) |
| 23. | IS 4393:2016 Basic Requirement of an Abattoir(second revision) |
| 24. | [Revised] Standards for Discharge of Effluents from slaughter houses, Meat Processing Units and Sea Food Industry. |

मा० सर्वोच्च न्यायालय द्वारा उपर्युक्त मामले में पारित अन्तिम निर्णय दिनांक 17.02.2017 का परिशीलन किये जाने पर यह पाया गया कि प्रदेश में पुरानी पशुवधशालाओं का आधुनिकीकरण तथा आधुनिक पशुवधशालाओं की स्थापना किये जाने से सम्बन्धित शासनादेश संख्या-2394/नौ-8-2014-03 पी(बजट)/2014 दिनांक 26.1.2014 में उल्लिखित कई प्राविधान वर्तमान आदेश के परिप्रेक्ष्य में अप्रासंगिक हो गये हैं, जिसके दृष्टिगत पशुवधशालाओं की स्थापना/संचालन किये जाने हेतु संशोधित दिशा निर्देश जारी किये जाने की आवश्यकता है।

4. मा० सर्वोच्च न्यायालय द्वारा रिट याचिका (सिविल) संख्या-330/2001 कामन काज बनाम भारत संघ, रिट याचिका संख्या-44/2004, अवमानना याचिका संख्या- 124/2015 के साथ संलग्न रिट याचिका संख्या- 309/2003 लक्ष्मी नारायण मोदी बनाम यूनियन ऑफ इण्डिया व अन्य में पारित आदेश दिनांक 17.02.2017 के अनुपालन में पशुवधशालाओं के संचालन के सम्बन्ध में श्री राज्यपाल शासनादेश संख्या-2394/नौ-8-2014-03 पी(बजट)/2014 दिनांक 26.11.2014 को अवकमित करते हुए निम्नवत अद्यतन दिशा-निर्देश निर्गत करते हैं:-

(1) The Food safety and Standards Act, 2006 की धारा-89 में दी गयी व्यवस्था- The Provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect of virtue of any law other than this Act. समस्त प्रचलित अधिनियमों पर ओवरराइडिंग इफेक्ट रखती है। ऐसी स्थिति में किसी भी कारोबारी को लाइसेन्स निर्गत करने का दायित्व The Food Safety and Standards Act, 2006 की धारा-89 के अन्तर्गत खाद्य सुरक्षा एवं औषधि प्रशासन विभाग का है, जो The Food safety and Standard (Licencing and Registration of Food Businesses) Regulation, 2011 के 2.1.2 (1)(5) के शेड्यूल-IV के अन्तर्गत हाइजीन एवं सैनेटरी आवश्यकताओं को दृष्टिगत रखते हुए लोकल अथारिटी से अनापत्ति प्रमाण पत्र प्राप्त करते हुए लाइसेन्स/पंजीकरण निर्गत किये जाने की व्यवस्था है।

(2) The Food safety and Standards Act. 2006 एवं The Food Safety and Standard (Licencing and Registration of Food Businesses) Regulation, 2011 के 2.1.2 (1)(5) के शेड्यूल-IV के अन्तर्गत हाइजीन एवं सैनेटरी आवश्यकताओं को दृष्टिगत रखते हुए लोकल अथारिटी से अनापत्ति प्रमाण पत्र प्राप्त कर खाद्य सुरक्षा एवं औषधि प्रशासन विभाग के संबंधित अधिकारी द्वारा लाइसेन्स/पंजीकरण निर्गत किये जाने की कार्यवाही की जायेगी।

(3) The Food safety and Standards Act. 2006 के दिनांक 05.08.2011 से प्रभावी हो जाने के फलस्वरूप उ०प्र० नगर निगम अधिनियम, 1959 एवं नगर पालिका अधिनियम, 1916 में खाद्य लाइसेन्स दिये जाने सम्बन्धी प्राविधान निष्प्रभावी हो गये हैं।

(4) अद्यतन पशुधन गणना को आधार में लेते हुए सम्बन्धित लोकल एथारिटी यदि पशुवधशाला की स्थापना का औचित्य पाती है, तो डी०पी०आर मा० उच्चतम न्यायालय के निर्देशों व सुसंगत अधिनियमों/नियमों/आदेशों के अधीन तैयार करायेगी।

सम्बन्धित लोकल एथारिटी जनपद के जिलाधिकारी के समक्ष डी०पी०आर० सहित आवेदन-पत्र प्रस्तुत करेगी, जिसे जिलाधिकारी की अध्यक्षता में गठित समिति, जिसमें सदस्य के रूप में सम्बन्धित जनपद के वरिष्ठ पुलिस अधीक्षक / पुलिस अधीक्षक, मुख्य पशु चिकित्साधिकारी, सम्बन्धित स्थानीय निकाय के नगर आयुक्त/अधिशापी अधिकारी /अपर मुख्य अधिकारी एवं उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड के क्षेत्रीय अधिकारी होंगे, मा० सर्वोच्च न्यायालय द्वारा पारित निर्णय में उल्लिखित अधिनियमों/नियमों को दृष्टिगत रखते हुए परीक्षण करेगी यदि सम्बन्धित लोकल एथारिटी द्वारा मा० सर्वोच्च न्यायालय के निर्णय में वर्णित दिशा-निर्देशों के अनुसार डी०पी०आर० तैयार की गयी हो, और अद्यतन पशुधन गणना के अनुसार वहाँ पर पशुवधशाला की स्थापना का औचित्य पाया जाता है, तो जिला स्तरीय समिति द्वारा अपनी स्पष्ट संस्तुति सहित प्रस्ताव प्रमुख सचिव, नगर विकास विभाग की अध्यक्षता में गठित राज्य स्तरीय समिति के विचारार्थ प्रस्तुत किया जाय। राज्य स्तरीय समिति द्वारा प्रस्ताव प्राप्त होने पर 03 माह के अन्दर परियोजना की स्वीकृति दिये जाने पर विचार कर यथोचित निर्णय लेगी।

(5) अतः इस सम्बन्ध में मुझे यह कहने का निर्देश हुआ कि उपर्युक्त संशोधित दिशा निर्देशों के अनुसार अग्रिम कार्यवाही करने का कष्ट करें।

भवदीय
(कुमार कमलेश)
प्रमुख सचिव

संख्या3710(1)/नौ-8-17, तद् दिनांक

प्रतिलिपि निम्नलिखित की सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

- 1- अपर मुख्य सचिव/ प्रमुख सचिव/ सचिव, पंचायतीराज/
गृह/पर्यावरण/पशुधन/चिकित्सा एवं स्वास्थ्य विभाग/ खाद्य सुरक्षा एवं औषधि/
प्रशासन विभाग/श्रम/ परिवहन, उत्तर प्रदेश शासन, लखनऊ।
- 2- पुलिस महानिदेशक, उत्तर प्रदेश।
- 3- समस्त वरिष्ठ पुलिस अधीक्षक, /पुलिस अधीक्षक, उत्तर प्रदेश।
- 4- सदस्य सचिव, उत्तर प्रदेश, प्रदूषण एवं नियंत्रण बोर्ड, लखनऊ।
- 5- समस्त अनुभाग, नगर विकास विभाग।
- 6- कम्प्यूटर सेल, नगर विकास विभाग।
- 7- गार्ड फाइल।

आज्ञा से
(शैलेन्द्र कुमार सिंह)
विशेष सचिव।"

(38) A bare perusal of the aforesaid Government Order dated 07.07.2017 reveals that it is mandatory for all the slaughterhouse units to comply with the 24 compendium as mentioned in para-3 of the aforesaid Government Order dated 07.07.2017 for consent to operate/establishment of the modern slaughterhouse. We also notice that clause 4 (3) of the Government Order dated 07.07.2017 clearly observes that after enforcement of the Food Safety and Standards Act, 2006 w.e.f.

05.08.2011, the provisions relating to grant of license available under Uttar Pradesh Nagar Palika Adhiniyam, 1916 and Uttar Pradesh Municipal Corporation Act, 1959 have become redundant.

- (39) Apparently, the order dated 21.05.2015 issued by the District Magistrate, Unnao while granting NOC to the petitioner to establish the modernized slaughterhouse plant clearly mentioned in condition no.68 that it will be mandatory for the petitioner to follow the direction issued in future and condition no. 69 categorically states about the consequential effect of deemed cancellation of the said NOC, in case of any irregularity or violation of any of the conditions. The order dated 04.01.2017 issued by the U.P. Pollution Control Board clearly mentioned that conditions enumerated in the NOC given by the District Magistrate, Unnao by the aforesaid order dated 21.05.2015 shall be complied with in letter and spirit. Meaning thereby the petitioner is obliged to follow all the directions for continuation of the NOC granted by the District Magistrate, Unnao in future. However, the issue does not rest here as the Government Order dated 07.07.2017 specifically mentions about supersession of the Government Order dated 26.11.2014 and accordingly directs all the slaughterhouse units to comply with 24 point compendium as mentioned in para-3 of the aforesaid Government Order dated 07.07.2017 for consent to operate/ establishment of the slaughterhouse. Thus, since the

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earlier NOC dated 21.05.2015 was issued in view of the existing Government Order dated 26.11.2014, which as per the Government Order dated 07.07.2017 stands superseded, it was mandatory for all the slaughterhouse units that in order to seek 'consent to operate', the 24 point compendium as mentioned in para-3 of the aforesaid Government Order dated 07.07.2017 be followed. Thus, apparently, there are two aspects of the matter; firstly NOC ought to have been taken as per the Government Order dated 07.07.2017 to establish the unit; and secondly on establishment of unit, the unit ought to have applied 'consent to operate' as per the Government Order dated 07.07.2017.

(40) In the instant case, NOC of the District Magistrate, Unnao was granted before issuance of the Government Order dated 07.07.2017. Although the petitioner had come to establish the modernized slaughterhouse unit, however, the same was not operational and as such it was mandatory for the petitioner to comply with all the terms of the Government Order dated 07.07.2017 including NOC for 'consent to operate' from the District Magistrate, Unnao, State Level Committee and U.P. Pollution Control Board.

(41) It is an admitted fact that the petitioner has not taken NOC from the District Magistrate, Unnao nor has obtained a re-validation of the said NOC in order to comply with the provisions of Government Order dated 07.07.2017, which are mandatory in nature having been issued pursuant to the dictum of the Apex

Court in **Common Cause vs. Union of India and others (supra)** and **Laxmi Narain Modi Vs. Union of India (supra)**, for running the modernized slaughterhouse. Therefore, the U.P. Pollution Control Board has rightly refused to grant 'consent to operate' by means of the impugned orders.

CONCLUSION

(42) For the aforesaid reason, we are of the view that there is no error in the impugned orders which may warrant any interference under Article 226 of the Constitution of India by this Court.

(43) The writ petition is, accordingly, **dismissed**.

(44) Needless to mention that while refusing to grant 'consent to operate' by means of the impugned orders, liberty was granted by the Chief Environmental Officer to the petitioner to comply with the mandatory provisions of law. That being the position, we hope and trust that in case the petitioner complies with the mandatory provisions of law and applies afresh for 'consent to operate' complying with the provision of Government Order dated 07.07.2017, the authorities concerned shall consider the claim of the petitioner in accordance with law expeditiously.

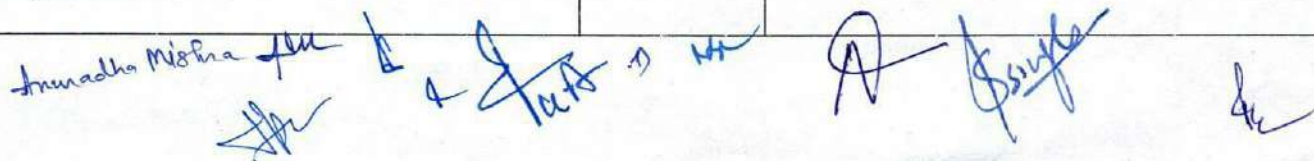
(Om Prakash Shukla, J.) (Devendra Kumar Upadhyaya, J.)

Order Date :- 31.05.2023

Ajit/-

शा.सं.देश संख्या-760/नौ-8-2017-29ज/2017 दिनांक 22 मार्च 2017 के अनुपालन में गठित समिति द्वारा मैसर्स फेयर एक्सपोर्ट इण्डिया प्रा०लि०, अगासन, कुर्सी रोड, बाराबंकी का दिनांक 02/05/2024 को संयुक्त निरीक्षण किया गया। निरीक्षण आख्या निम्नवत् है:-

| SL.No. | STATUS /STANDARDS/GUIDE LINE AS PER LETTER DATED 07.07.2017 | Related Department | Compliance status |
|--------|---|-----------------------------|--|
| 1 | Prevention of Cruelty to Animals Act, 1960 [Relevant Sections: Section 3(p,3), 9(b)(p.c), Section 9(e)(p.6), 11(P.7,8)and 38 (P.15,19) | Animal Husbandry (CVO) | All Protocols followed according to rules and regulations, Compliance status is Fair. |
| 2 | Transport of Animals Rules, 1978 (as amended in 2001 and 2009) | Transport Department (ARTO) | इकाई के वाहनों द्वारा फ्रीज/चिल्ड सामान हेतु वाहनों का प्रयोग किया जाता है तथा पशुधन का परिवहन नहीं किया जाता है, विस्तृत आख्या संलग्न है। |
| 3 | Prevention of Cruelty to Animals (Transport Animals of Foods) Rules,2000 | Transport Department (ARTO) | इकाई के वाहनों द्वारा फ्रीज/चिल्ड सामान हेतु वाहनों का प्रयोग किया जाता है तथा पशुधन का परिवहन नहीं किया जाता है, विस्तृत आख्या संलग्न है। |
| 4 | Prevention of Cruelty to Animals (Slaughter house) Rules,2001 | Animal Husbandry (CVO) | To ensure the Prevention of Cruelty to Animals (Slaughter House) Rules, 2001. Industry has employed 16 qualified Veterinary Doctor along with a Government Veterinary Doctor as prescribed by the Act appointed by Govt. body. |
| 5 | Performa for Ante and Post mortem fitness certificates to be issued by the veterinary doctor after examining the animal before and after slaughter to animals as per rules 4 (3) documents: Letter from AWBI to Director/ Commissioner, Municipal Administration of all states and union territories, dated 17-10-2016 (p.49: Letter from AWBI to CEO Food Safety And Standards Authority Dated 17-10-2016 (p.50): Letter from FSSAI to All Central Licensing Authorities and commissioners of food safety of all states/UT's(p.51) | Animal Husbandry (CVO) | To ensure the Prevention of Cruelty to Animals (Slaughter House) Rules, 2001. Industry has employed 16 qualified Veterinary Doctor along with a Government Veterinary Doctor as prescribed by the Act. |
| 6 | Draft Prevention of Cruelty to Animals (Regulation of livestock market) Rules,2016 | Animal Husbandry (CVO) | Compliance status is Fair. |
| 7 | Central Motor Vehicle (11 th amendment) Rules,2015 (Relevant Rules :Rule 125E(0.69)) | Transport Department (ARTO) | विस्तृत आख्या संलग्न है। |
| 8 | Central Motor Vehicle (13 th amendment) Rules,2016 (Relevant Rules :Rule 125E(p.71)) | Transport Department (ARTO) | विस्तृत आख्या संलग्न है। |
| 9 | Food Safety and Standards Act,2006 [Relevant Sections-Section 92 p.118,119]] | F.S.D.A | M/s Fair Exports India Pvt. Ltd. Is not a food Authority. So this Section is not follow up. |
| 10 | Food Safety and Standards Act,2006 (Licensing and Registration of Food Business) Regulations 2011[Relevant regulations – Part-IV (p.161-178) | F.S.D.A | Schedule IV compliance is done. This unit have food License, License No. 10013051000657 Valid till 10.06.2024 Annexure A attached. |

Amratha Mishra


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| 11 | Food Safety and Standards (Food Products Standards and Food Additives) Regulations,2011 [Relevant regulations – Regulations 2.5 (p-265)] | F.S.D.A | No additives are found at the time of inspection. Inspection Note Attached Annexure B. |
| 12 | Agriculture and Processed Food Product Export Development Authority (Amendment) Act,2009 [Relevant Sections-section 4(p.344) and section 12 (p.349)] | F.S.D.A | - |
| 13 | Environment Protection Act 1986 (Relevant Section-6&25(p.356) | UPPCB | उद्योग में प्रक्रिया से जनित उत्प्रवाह के शोधन हेतु 800 किली0/दिन क्षमता का उत्प्रवाह शुद्धिकरण संयंत्र स्थापित है जिसकी प्रमुख इकाइया-बार स्क्रीन, इक्वलाइजेशन टैंक, रोटरी ड्रम फिल्टर, एरियेशन टैंक 01 एवं 02, क्लेरीफायर प्रथम एवं द्वितीय, डिफियूजन टैंक, पालिशिंग टैंक, स्लज ड्राइंग बेड इत्यादि इकाइया है। |
| 14 | The Environment Protection Rules,1986 [Relevant rules –effluent discharge standards S.no.50(p.357) | UPPCB | उत्प्रवाह शुद्धिकरण संयंत्र के आउलेट से जनित शुद्धिकृत उत्प्रवाह का नमूना एकत्र कर राज्य बोर्ड की केन्द्रीय प्रयोगशाला में जमा कराया गया है, विश्लेषण आख्यानसार शुद्धिकृत उत्प्रवाह के नमूने में प्रदूषणकारी प्रचालको की मात्रा बोर्ड मानको के अनुरूप पायी गयी। प्राप्त विश्लेषण आख्या संलग्न है। शुद्धिकृत उत्प्रवाह को सिंचाई हेतु प्रयुक्त किया जाता है। |
| 15 | (Revised Draft) Effluent Discharge Standards For Slaughter house to be notified by the MOEF[Relevant rules –effluent discharge standards S.no.50(p.360)] | UPPCB | बिन्दु सं. 14 के अनुसार। |
| 16 | The Water (Prevention and Control of Pollution) Act,1974 Relevant Section 24(p.373, 374), 25(p374), 26(p.375), 27(p.375,376), 28(p.376) & 33N(p.378) | UPPCB | जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम 1974 के प्राविधानों का अनुपालन सुनिश्चित रखे जाने हेतु इकाई से जनित उत्प्रवाह के शुद्धिकरण हेतु उत्प्रवाह शुद्धिकरण संयंत्र स्थापित है, जिसका विवरण बिन्दु सं. 13 के अनुसार है। |
| 17 | The Water (Preservation and Control of Pollution) Act,1975 [Relevant Rules: From XIII(p.410) | UPPCB | राज्य बोर्ड द्वारा पत्रांक सं0-एफ-40472/सी-5/एनओसी/463/2008/11 दिनांक 18/11/2008 के माध्यम से उक्त इकाई को 750 मैस/मैसा/दिन व 750 भेड़/बकरा प्रतिदिन का वध कर फोजन मीट के उत्पादन हेतु सफ़्त अनापत्ति प्रमाण पत्र प्राप्त है तथा वर्तमान में उक्त पशुवधशाला में 750 मैस/मैसा एवं 750 भेड़/बकरा प्रतिदिन का वध करके 80 मी0टन/दिन फोजन मीट का उत्पादन किया जाता है। उद्योग को बोर्ड के पत्रांकसं0-72805/UPPCB/Lucknow(UPPCBRO)/ CTO/ air/ BARABANKI/2019 दिनांक-20/12/2019द्वारा सहमति वायु एवं पत्रांक संख्या- 72815/ UPPCB/ Lucknow (UPPCBRO)/ CTO/water/ BARABANKI/ 2019 दिनांक 17/12/2019 द्वारा सहमति जल निर्गत किया गया है, जिसकी वैधता वर्ष-2024 तक है। |
| 18 | The Air (Preservation and Control of Pollution) Act,1981 [Relevant section21(p.441), 22A(p.443), 23(p.443), 24(p.443, 444), 31A(p.446), 31B(p.446), 37(p.448), 40(p.448, 449) & 41(p.449)] | UPPCB | वायु (प्रदूषण निवारण एवं नियंत्रण) अधिनियम 1981 के प्राविधानों का अनुपालन सुनिश्चित किये जाने हेतु उद्योग द्वारा रेण्डरिंग प्लाण्ट एवं ब्लड मील प्लाण्ट में वाश्पपूर्ति हेतु 06 टन/घण्टा वाश्प जनन क्षमता का राइस हस्क फायर्ड ब्यायलर स्थापित है। उक्त ब्यायलर में ईधन के रूप में राइस हस्क का प्रयोग किया जाता है। उक्त ब्यायलर पर वायु प्रदूषण नियंत्रण |

Anuradha Mishra

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| | | | हेतु मल्टी साइक्लोन डस्ट कलेक्टर तथा भूतल से 30 मीटर ऊँची चिमनी स्थापित है। उद्योग में 4.5 टन/घण्टा (स्टैण्ड बाई) वाष्प जनन क्षमता का आयल फायर्ड ब्यायलर स्थापित है जिससे सम्बद्ध चिमनी की ऊँचाई लगभग 30 मीटर है। उक्त आयल फायर्ड ब्यायलर में ईंधन के रूप में डीजल का प्रयोग किया जाता है। उद्योग में एकास्टिक एनक्लोजर युक्त 3 डी0जी0 सेट 500 केवीए क्षमता के स्थापित है जिसमें बोर्ड मानको के अनुसार 12 मी0 ऊँची चिमनी स्थापित है। उद्योग में रेण्डरिंग प्रक्रिया से जनित होने वाले दुर्गन्ध के निस्तारण हेतु वेट स्कबर सिस्टम व बायो फिल्टर स्थापित है। निरीक्षण के समय परिसर में दुर्गन्ध की समस्या पायी गयी। |
| 19 | Municipal Solid Waste (Management and Handling) Rules,2000, [Relevant Rules-7(p.456), Scheduled II- S.No.I (III)(p.458), 4(p.459,460), 5(p.459, 460), 6 (p.460), Form II clause 6(II) (p.472)] | UPPCB | पशु वधशाला के संचालन से जनित वेस्ट मीट तथा बोन आदि के निस्तारण हेतु रेण्डरिंग प्लाण्ट एवम पशुओं के वध से जनित होने वाले रक्त के निस्तारण हेतु ब्लड मील प्लाण्ट स्थापित है, जो निरीक्षण के समय संचालित पाया गया। |
| 20 | The National Green Tribunal Act, 2010[Relevant section-14(p.482), 16(p.483)] | UPPCB | — |
| 21 | IS 1995:2015 Handling Storage and Transport of Slaughter House by Products Guidelines (1 st Revision) | Transport Department (ARTO) | विस्तृत आख्या संलग्न है। |
| 22 | IS 1982:2015 Ante Mortem and Post Mortem inspections of meat animals-code of practice(section revision) | Animal Husbandry (CVO) | Ante-Mortem and Post Mortem inspection of Meat animals-code of practice were conducted according to norms. |
| 23 | IS 4393:2016 Basic Requirements of an abattoir(2 nd revision) | Animal Husbandry (CVO) | — |
| 24 | [Revised] Standards for Discharged of effluents from Slaughter houses, meat processing units and sea food industry. | UPPCB | पर्यावरण (संरक्षण) अधिनियम 1986 में स्लाटर हाउस उद्योगों से निस्तारित उत्प्रवाह के संशोधित निर्धारित मानकों की प्राप्ति हेतु उत्प्रवाह शुद्धिकरण संयंत्र स्थापित है, जिसका विवरण बिन्दु सं. 14 के अनुसार है। |


(पुलिस विभाग)
बाराबंकी।

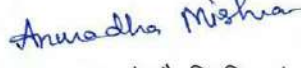

(उ0प्र0 प्रदूषण नियंत्रण बोर्ड)
लखनऊ।



(पशुचिकित्सा विभाग)
बाराबंकी।

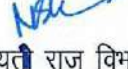

(श्रम विभाग)
बाराबंकी।


(परिवहन विभाग)
बाराबंकी।


(चिकित्सा विभाग)
बाराबंकी।


(खाद सुरक्षा एवं औषधि विभाग)
बाराबंकी।


(नगर पालिका/नगर पंचायत)
बाराबंकी।


(जिला पंचायत राज विभाग)
बाराबंकी।

अपर जिलाधिकारी (न्यायिक)/जिलाधिकारी महोदय,

24 प्वाइंड कम्पेडियम विषयक जांच उपरोक्त विस्तृत
सादर संस्मृति सहित प्रेषित है।

Ro (UPPCB)
Report to be forwarded
to State level committee

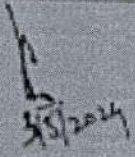
(सुनील कुमार)
जिलाधिकारी
बाराबंकी


28-06-24
(इन्द्रसेन)
अपर जिलाधिकारी (न्यायिक)
बाराबंकी

शासनादेश संख्या-760/नौ-8-2017-29 ज/2017 दिनांक 22 मार्च 2017 के अनुपालन में गठित समिति द्वारा मैसर्स फेयर एक्सपोर्ट इण्डिया प्रा०लि०, अगासन, कुर्सी रोड, बाराबंकी का दिनांक 02/05/2024 को संयुक्त निरीक्षण किया गया। निरीक्षण आख्या निम्नवत् है:-

| SL.No. | STATUS /STANDARDS/GUIDE LINE AS PER LETTER DATED 07.07.2017 | COMPLIANCE STATUS |
|--------|---|---|
| 1 | Prevention of Cruelty to Animals Act, 1960 [Relevant Sections: Section 3(p,3), 9(b)(p.c), Section 9(e)(p.6), 11(P.7,8)and 38 (P.15,19) | All protocols followed according to rules and regulations. Compliance status is Fair. |
| 0 | Transport of Animals Rules, 1978 (as amended in 2001 and 2009) | ----- |
| 3 | Prevention of Cruelty to Animals (Transport Animals of Foods) Rules,2000 | Compliance status is Fair. |
| 4 | Prevention of Cruelty to Animals (Slaughter house) Rules,2001 | To ensure the Prevention of Cruelty to Animals (Slaughter House) Rules 2001 industry has employed 16 qualifide Veterinary Doctors along with a Government Veterinary Doctor as prescribed by the Act appointed by Govt. body. |
| 5 | Performa for Ante and Post mortem fitness certificates to be issued by the veterinary doctor after examining the animal before and after slaughter to animals as per rules 4 (3) documents: Letter from AWBI to Director/ Commissioner, Municipal Administration of all states and union territories, dated 17-10-2016 (p.49: Letter from AWBI to CEO Food Safety And Standards Authority Dated 17-10-2016 (p.50): Letter from FSSAI to All Central Licensing Authorities and commissioners of food safety of all states/UT's(p.51) | To ensure the Prevention of Cruelty to Animals (Slaughter House) Rules 2001 industry has employed 16 qualifide Veterinary Doctors along with a Government Veterinary Doctor as prescribed by the Act . |
| 6 | Draft Prevention of Cruelty to Animals (Regulation of livestock market) Rules,2016 | Compliance status is Fair. |
| 7 | Central Motor Vehicle (11 th amendment) Rules,2015 (Relevant Rules :Rule 125E(0.69)) | ----- |
| 8 | Central Motor Vehicle (13 th amendment) Rules,2016 (Relevant Rules :Rule 125E(p.71)) | ----- |
| 9 | Food Safety and Standards Act,2006 [Relevant Sections-Section 92 p.118,119]] | ----- |
| 10 | Food Safety and Standards Act,2006 (Licensing and Registration of Food Business) Regulations 2011[Relevant regulations – Part-IV (p.161-178) | ----- |
| 11 | Food Safety and Standards (Food Products Standards and Food Additives) Regulations,2011 (Relevant regulations – Regulations 2.5 (p-265)) | ----- |
| 12 | Agriculture and Processed Food Product Export Development Authority (Amendment) Act,2009 [Relevant Sections-section 4(p.344) and section 12 (p.349)] | ----- |
| 13 | Environment Protection Act 1986 (Relevant Section-6&25(p.356) | ----- |
| 14 | The Environment Protection Rules,1986 [Relevant rules –effluent discharge standards | ----- |

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|----|--|---|
| | S.no.50(p.357) | |
| 15 | [Revised Draft] Effluent Discharge Standards For Slaughter house to be notified by the MOEF [Relevant rules -effluent discharge standards S.no.50(p.360)] | |
| 16 | The Water (Prevention and Control of Pollution) Act,1974 Relevant Section 24(p.373, 374), 25(p.374), 26(p.375), 27(p.375,376), 28(p.376) & 33N(p.378) | |
| 17 | The Water (Preservation and Control of Pollution) Act,1975 [Relevant Rules: From XIII(p.410)] | |
| 18 | The Air (Preservation and Control of Pollution) Act,1981 [Relevant section 21(p.441), 22A(p.443), 23(p.443), 24(p.443, 444), 31A(p.446), 31B(p.446), 37(p.448), 40(p.448, 449) & 41(p.449)] | |
| 19 | Municipal Solid Waste (Management and Handling) Rules,2000, [Relevant Rules- 7(p.456), Scheduled II- S.No.I (III)(p.458), 4(p.459,460), 5(p.459, 460), 6 [p.460], Form II clause 6(ii) (p.472)] | |
| 20 | The National Green Tribunal Act, 2010[Relevant section-14(p.482), 16(p.483)] | |
| 21 | IS 1995:2015 Handling Storage and Transport of Slaughter House by Products Guidelines [1 st Revision] | |
| 22 | IS 1982:2015 Ante Mortem and Post Mortem inspections of meat animals-code of practice(section revision) | Ante-Mortem and Post-Mortem inspections of meat animals-code of practice were conducted according to norms. |
| 23 | IS 4393:2016 Basic Requirements of an abattoir[2 nd revision] | |
| 24 | [Revised] Standards for Discharged of effluents from Slaughter houses, meat processing units and sea food industry. | |


 5/5/2024
 Chief Veterinary Officer
 Borabanki

कार्यालय सहायक सम्भागीय परिवहन अधिकारी,
(प्रशासन), बाराबंकी।

संख्या:- ९१५ / सा०प्रशा० / 2024

बाराबंकी, दिनांक:- 05/06/24

सेवा में,
अपर जिलाधिकारी (न्यायिक),
बाराबंकी।

विषय: पशुवधशालाओं के संचालन के सम्बन्ध में मा० उच्चतम न्यायालय द्वारा जारी 24 प्वाइंट कम्प्लेडियम का अनुपालन सुनिश्चित कराये जाने के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ के पत्र संख्या-148/जी०एफ-327/24 दिनांक 23.04.2024 के परिप्रेक्ष्य में जिलाधिकारी महोदय, बाराबंकी द्वारा जनपद बाराबंकी में स्थापित एवं संचालित पशुवधशाला मेसर्स फेयर एक्सपोर्ट इण्डिया प्राईवेट लिमिटेड, अगासन, कुर्सी रोड, बाराबंकी की आपकी अध्यक्षता में संयुक्त जांच किये जाने हेतु निर्देशित किया गया है, जिसके क्रम में दिनांक 02.05.2024 को पूर्वान्ह 11:00 बजे सम्पन्न संयुक्त जांच/बैठक का संदर्भ ग्रहण करने का कष्ट करें।

उक्त संयुक्त जांच/बैठक में आप द्वारा परिवहन विभाग से सम्बन्धित चेकलिस्ट के बिन्दु संख्या-7 एवं 8 के सम्बन्ध में आख्या प्रस्तुत करने हेतु निर्देशित किया गया है। चेकलिस्ट के बिन्दु संख्या-7 एवं 8 के सम्बन्ध में अवगत कराना है कि केन्द्रीय मोटर यान (ग्यारहवां संशोधन) नियम, 2015 तथा केन्द्रीय मोटर यान (तेरहवां संशोधन) नियम, 2016 द्वारा संशोधित केन्द्रीय मोटर यान नियम 125(E) के उपनियम (4) के परंतुक को केन्द्रीय मोटर यान (तेरहवां संशोधन) नियम, 2018 द्वारा पुनः अन्तःस्थापित करते हुए पशुओं के परिवहन हेतु प्राविधान किये गये हैं।

मेसर्स फेयर एक्सपोर्ट इण्डिया प्राईवेट लिमिटेड के अन्तर्गत संचालित वाहनों जिनका विवरण निम्नवत है, के द्वारा फ्रीज/चिल्ड सामान को ले जाने का कार्य किया जाता है, उनके द्वारा पशुधन का परिवहन नहीं किया जाता है:-

| क्र.सं. | वाहन संख्या | वाहन का प्रकार | फिटनेस की वैधता | कर की वैधता | बीमा की वैधता |
|---------|-------------|----------------|-----------------|-------------|---------------|
| 1. | UP41T9216 | Goods Carrier | 02-Apr-2025 | 30-Jun-2024 | 05-Mar-2025 |
| 2. | UP41T9217 | Goods Carrier | 12-May-2025 | 30-Jun-2024 | 05-Mar-2025 |
| 3. | UP41T9218 | Goods Carrier | 31-Mar-2025 | 30-Jun-2024 | 05-Mar-2025 |
| 4. | UP14HT1670 | Goods Carrier | 27-Sep-2024 | 31-Jul-2024 | 29-May-2025 |
| 5. | UP14HT1671 | Goods Carrier | 21-Sep-2024 | 31-Jul-2024 | 29-May-2025 |
| 6. | UP14HT3810 | Goods Carrier | 08-Jan-2025 | 31-Jul-2024 | 29-May-2025 |
| 7. | UP14HT3811 | Goods Carrier | 02-Jan-2025 | 31-Jul-2024 | 29-May-2025 |

उक्त के क्रम में महोदय को यह भी अवगत कराना है कि मेसर्स फेयर एक्सपोर्ट इण्डिया प्राइवेट लिमिटेड, अगासन, कुर्सी रोड, बाराबंकी द्वारा यह अवगत कराया गया है कि स्थानीय किसान सप्लायर द्वारा उन्हें पशुधन सप्लायी किये जाते हैं और यह पशुधन किसान द्वारा स्वयं अपनी वाहन से लाये जाते हैं। फर्म द्वारा पशुधन को लाने हेतु कोई वाहन प्रयोग नहीं किया जा रहा है (छायाप्रति संलग्न है)।

मेसर्स फेयर एक्सपोर्ट इण्डिया प्राइवेट लिमिटेड, अगासन, कुर्सी रोड, बाराबंकी के निरीक्षणोपरान्त परिवहन विभाग से सम्बन्धित बिन्दुओं पर आख्या सादर प्रेषित है।



(उमाशंकर मिश्र)
यात्री/मालकर अधिकारी,
बाराबंकी।



(अंकिता शुक्ला)
सहायक सम्भागीय परिवहन अधिकारी
(प्रशासन), बाराबंकी।

शासनादेश संख्या-700/सी-0-2017-2904/2017 दिनांक 22 मार्च 2017 को अनुपालन में गठित समिति द्वारा वेरास पेंसर एक्सपोर्ट इण्डिया प्राइवेट लिमिटेड, अगासन, कुची रोड, वाराणसी का दिनांक 02/05/2024 को संयुक्त निरीक्षण किया गया। निरीक्षण आख्या निम्नवत् है:-

| Sl.No. | STATUS/STANDARDS/GUIDE LINE AS PER LETTER DATED 07.07.2017 | COMPLIANCE STATUS |
|--------|---|---|
| 1 | Prevention of Cruelty to Animals Act, 1960 [Relevant Sections Section 3(p.3), 9(b)(p.c), Section 9(e)(p.6), 11(P.7,8)and 38(P.15,19)] | - |
| 2 | Transport of Animals Rules, 1978 (as amended in 2001 and 2009) | - |
| 3 | Prevention of Cruelty to Animals (Transport Animals of Foods) Rules,2000 | - |
| 4 | Prevention of Cruelty to Animals (Slaughter house) Rules,2001 | - |
| 5 | Performa for Ante and Post mortem fitness certificates to be issued by the veterinary doctor after examining the animal before and after slaughter to animals as per rules 6 (3) documents: Letter from AWBI to Director/ Commissioner, Municipal Administration of all states and union territories, dated 17-10-2016 (p.49) Letter from AWBI to CEO Food Safety And Standards Authority Dated 17-10-2016 (p.50); Letter from FSSAI to All Central Licensing Authorities and commissioners of food safety of all states/UT's(p.51) | - |
| 6 | Draft Prevention of Cruelty to Animals (Regulation of livestock market) Rules,2016 | - |
| 7 | Central Motor Vehicle (11 th amendment) Rules,2015 (Relevant Rules Rule 125E(0.69)) | - |
| 8 | Central Motor Vehicle (13 th amendment) Rules,2016 (Relevant Rules Rule 125E(p.71)) | - |
| 9 | Food Safety and Standards Act,2006 [Relevant Sections-Section 92 p.118,119] | M/s Fair Exports India Pvt Ltd. is not a food Authority so this section is not applicable. |
| 10 | Food Safety and Standards Act,2006 (Licensing and Registration of Food Business) Regulations 2011[Relevant regulations - Part-IV (p.161-178)] | Schedule IV compliance is done. This Unit have food license license No is 10013051000667 valid till 10-06-24. Annexure (A) Attached |
| 11 | Food Safety and Standards (Food Products Standards and Food Additives) Regulations,2011 [Relevant regulations - Regulations 2.5 (p.265)] | No additives are found at the time of inspection. Inspection Note Attached - (B) |
| 12 | Agriculture and Processed Food Product Export Development Authority (Amendment) Act,2009 [Relevant Sections-section 4(p.344) and section 12 (p.349)] | |
| 13 | Environment Protection Act 1986 (Relevant Section-6&25(p.356) | |
| 14 | The Environment Protection Rules 1986 | |

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All coverage CBWTF units-(number of cbwtf x each coverage 10000 Beds)

Gap analysis (G)=45260-(4nos x 10000 Beds)=45260-40000=5260 Beds (Exceed)
and also existing Total 2251 Non beds units

B) कुल बेड्स/नानबेड्स की संख्या के आधार पर प्रतिदिन जनित जैव चिकित्सा अपशिष्ट के सीबीडब्ल्यूटीएफ उपचार क्षमता के आधार पर विप्लेषण :-

Required to conduct gap analysis w.r.to coverage area of radius 75 KM, as given the bio medical waste generation of the existing treatment capacity of the CBWTF:-

(Referenc <http://cpheeo.gov.om/upload/uploadfiles/files/chap7.pdf>; **Central Public Health & Environment Engineering Organization(CPHEEO)**”The quantum of waste generated in india is estimated to be 1.5 kg per bed per day in a hospital and 600 gm per day per bed in a clinic.

Other Reference [https://vikaspedia.in/energy/environment/waste-management/bio-medical-waste-management/bio medical -waste-management-rules.....](https://vikaspedia.in/energy/environment/waste-management/bio-medical-waste-management/bio%20medical%20waste-management-rules.....)”The quantum of waste generated in india is estimated to be 1-2 kg per bed per day in a hospital and 600 gm per day per bed in a clinic.”

F1=Estimated generation of toatal waste @ 1.5 kg/bed=45260x 1.5=67890 kg/day

Estimated generation of bio medical waste @ 25 %

Of the total biomedical waste generated=16972.5 kg/day

(F1) = 16972.5 kg/day

F2= Non beds estimated generation of total waste @ 600 gm/bed =2251 x 0.60 = 1350.6 kg/day

Estimated generation of bio medical waste @ 25%

Of the total biomedical waste generated =337.65 kg/day

(F2)= 337.65 kg/day

Final (F) = F1+F2 =16972.5+337.65= 17310.15 kg/day

As per Revised Guidelines for Common Bio medical Waste Treatment and Disposal Facilities

A CBWTF located within the respective State/UT shall be allowed to cater healthcare units situated at a radial distance of 75 KM. However, In a coverage area where 10000 beds are available within a radial distance of 75 KM.

Each CBWTF a coverage area = 10000 Beds

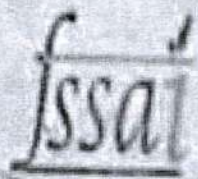
Estimated generation of total waste @1.5 kg/bed = 10000 x .5= 15000 kg/day

Estimated generation of bio-medical waste @ 25 %

Of the total bio medical waste generated= 15000 x 0.25 =3750 kg/day

Total (T1) = 3750 kg/day

Require Number of CBWTF= $\frac{F}{T1} = \frac{17310.15 \text{ kg/day}}{3750 \text{ kg/day}} = 4.61 \cong 05$ nos. require of cbwtf.



Form C
Government of India
Food Safety and Standards Authority of India
License under FSS Act, 2006



अनुमति संख्या / License Number: 10013031000987



- 1. Name & Registered Office address of Licensee / अनुमतिप्राप्त के अधिकृत कार्यालय का पता: **SHI FAIR EXPORTS (INDIA) PVT LTD, 501 MADHAVA BLDG, BANDRA KURLA COMPLEX, BANDRA E, MAHARASHTRA, Girandara, Maharashtra-400051**
- 2. Address of Authorized Premises / अधिकृत कार्यालय का पता: **1310,6,7,9,11 Kursi Agasen Road,Kursi,District Barabanki, Fatehpur Tahsil, Barabanki, Uttar Pradesh-225302**
- 3. Kind of Business / कारोबार का प्रकार: **Manufacturer - Meat processing units
Manufacturer - Slaughtering units
Manufacturer - 100 % Export Oriented units**
- 4. Dairy Business Details / डेरी कारोबार विवरण: **No**
- 5. Category of License / अनुमति का वर्ग: **Central License**

This license is granted under and is subject to the provisions of FSS Act, 2006 as of which must be complied with by the licensee. / यह अनुमति इस कानून के प्रावधानों के अधीन दी गई है और इस अनुमति के अंतर्गत में शामिल है कि इस अनुमतिप्राप्त को इस कानून के प्रावधानों का पालन करना होगा।

Place / स्थान: **FSSAI Delhi** Designated Officer
Issued On / दिनांक: **23-05-2023 (Renewal License)**
Valid Upto / वैधता: **10-06-2024 (For details, refer Annexure)**

- Annexures:**
- 1. Product Annexure
 - 2. Validity Annexure
 - 3. Non-Form C Annexure
 - 4. Conditions Of License

- Note:**
- 1. Application for renewal of license can be filed as early as 180 days prior to expiry date of license. You can file application for renewal or modification of license by login into FSSAI's Food Safety Compliance System(<https://foscos.fssai.gov.in>) with your user id and password or call us at 1800112100 for any clarification.
 - 2. This license is only to commence or carry on food businesses and not for any other purpose.
 - 3. This is computer generated license and doesn't require any signature or stamp by authority.

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| | | | |
|---|--|---|---|
| 23 | Carcasses, parts and the organs thereof found to be healthy and fit for human consumption are marked as "inspected & passed". Carcass or parts thereof which is unfit for human consumption is marked as "inspected & condemned". | 2 | 1 |
| III Sanitation, maintenance & waste disposal | | | |
| 24 | Cleaning of equipment, food premises is done as per cleaning schedule & cleaning programme. (Floorings are washed daily. Lime washing, colour washing or paint washing is done at least once in 12 months.) | 2 | 2 |
| 25 | Preventive maintenance of stunning equipment is carried out regularly as per the manufacturer's instructions. | 2 | 1 |
| 26 | Blood, manure, garbage, filth or other refuse from any animal slaughtered and the hide, viscera and offals are removed from the slaughter house within 8 hours after completion of slaughtering in a manner not to cause contamination. The container or receptacle used for these wastes is thoroughly cleaned and disinfected immediately after use. | 2 | 2 |
| 27* | Pest control programme is available and pest control activities are carried out by trained and experienced personnel. | 4 | 4 |
| 28 | No signs of pest activity or infestation in premises (eggs, larvae, faeces etc.) | 2 | 2 |
| 29 | There is an efficient drainage system and all drains and gutters are properly and permanently installed fitted with traps and screens. The drainage system for blood is either underground with facility for easy cleaning or a portable receptacle with lid). | 2 | 2 |
| 30 | Sufficient space is there for separation and storage of condemned carcasses. Destruction of condemned carcasses, organs or parts thereof shall be carried out under the direct supervision of the authorised veterinarian. | 2 | 1 |
| 31 | Slaughter house refuse and waste material is suitably processed to prepare animal by product or dumped in pits that are suitably covered. | 2 | 2 |
| 32 | For large slaughter house, ETP is required. Disposal of sewage and effluents is done in conformity with standards laid down under Environment Protection Act, 1986. | 2 | 2 |
| IV Personal Hygiene | | | |
| 33 | Annual medical examination & inoculation of food handlers against the enteric group of diseases as per recommended schedule of the vaccine is done. Check for records. | 2 | 2 |
| 34 | No person suffering from a disease or illness or with open wounds or burns is involved in handling of food or materials which come in contact with food. | 2 | 2 |
| 35* | Food handlers maintain personal cleanliness (clean clothes, trimmed nails & water proof bandage) and personal behaviour (hand washing, no loose jewellery, no smoking, no spitting etc). | 4 | 4 |
| 36 | Food handlers are equipped with suitable aprons, gloves, headgear, shoe cover etc. | 2 | 2 |
| V Training & records keeping | | | |
| 37 | Internal / External audit of the system is done periodically. Check for records. | 2 | 1 |
| 38 | Food Business has an effective consumer complaints redressal mechanism. | 2 | 2 |
| 39 | Food handlers have the necessary knowledge and skills & trained to handle food safely. Check for training records. | 2 | 2 |
| 40* | Appropriate documentation & records are available and retained for a period of one year or the shelf-life of the product, whichever is more. | 4 | 4 |

Total points/90

Asterisk mark (*) questions may significantly impact food safety & therefore must be addressed as a priority. Failure in any of the asterisk mark questions, will lead to Non-compliance

Grading -

| | | | |
|--------------------------|----------------|---------|---------------------------|
| <input type="checkbox"/> | A ⁺ | 81 - 90 | Compliance - Exemplar |
| <input type="checkbox"/> | A | 72 - 80 | Compliance - Satisfactory |
| <input type="checkbox"/> | B | 45 - 71 | Needs Improvement |
| <input type="checkbox"/> | No grade | <45 | Non Compliance |

Anushe Mishra
Food Safety Officer
Banabakti

Annexure - (A) **246**
Attachment - (B)


(10) **Slaughter House - Meat**

| | | | |
|---------------------|-----------------|----------------------|---|
| Date | 02/05/2024 | FBO Name | Fair Exports (India) Pvt L |
| Food Safety Officer | Anuradha Mishra | FBO's representative | Ujo Jose Alappatt |
| FBO License No. | 10013051000667 | Address | 1310/6, 7, 9, 11, Kurki Agasan Road Dist - Ban |

Indicate the following - Compliance (C), Noncompliance (NC), Partial Compliance (PC) or Not Applicable (NA)

| S. No. | Audit Question | Scoring | |
|-----------|--|---------|---|
| | | | |
| 1 | Food establishment has an updated FSSAI Licence & NOC from local authority. | 2 | 2 |
| I | Design & facilities | | |
| 2 | The premises have separate provision for the slaughter of different species of animals & for different methods of slaughter. | 2 | 2 |
| 3 | There is an adequate resting area (lairage) with facility for watering and examination of animals or birds. | 2 | 2 |
| 4 | The layout of the slaughter house is such that there is a forward movement from the introduction of the live animal to emergence of meat and offals without any possibility for overlap/intersection. | 2 | 1 |
| 5 | Internal structure & fittings are made of non-toxic, impermeable materials which prevent the entry of dirt, dust & pest. | 2 | 2 |
| 6 | Floors are impervious, epoxy coated and non-slippery. | 2 | 2 |
| 7 | Walls are paved with Imperious glazed tiles up to 1 meter height for poultry or small ruminant animals and upto 5 metre for large animals & are epoxy coated. | 2 | 2 |
| 8 | Windows & other openings are free from accumulated dirt, those which open are fitted with insect-proof screen. | 2 | 2 |
| 9 | Doors are smooth, non-absorbent surface, close fitted & self-closing (where appropriate). | 2 | 1 |
| 10 | Premises have sufficient lighting i.e. 540 lux (inspection points), 220 lux (work room) & 110 lux (other areas). | 2 | 1 |
| 11 | Adequate ventilation is provided within the premises. | 2 | 2 |
| 12 | Personnel hygiene facilities are available including adequate number of toilets, hand washing facilities and change rooms. Hand washing facilities with warm or hot and cold water, adequate means to hygienically dry hands are provided adjacent to toilets and at entry to processing area. | 2 | 2 |
| 13* | Clean potable cold water (meeting standards of IS 10500) with pressure hose pipes and supply of hot water is available in slaughter hall. | 4 | 4 |
| 14 | An equipped laboratory is available with qualified chemist/analyst & veterinary microbiologist. | 2 | 2 |
| 15 | The equipment & containers (except for chopping blocks, cutting boards & brooms) are durable, made of corrosion resistant material which facilitates cleaning. | 2 | 2 |
| II | Control of operation | | |
| 16 | Animals suspected of infectious diseases are segregated and kept in separation. | 2 | 1 |
| 17 | Humane methods are used for slaughtering. Animals are rested before slaughter to reduce stress. Slaughtering of animals is not done in sight of other animals. Stunning is done before slaughtering. | 2 | 2 |
| 18 | Equipment used for stunning is maintained in good working condition. | 2 | 2 |
| 19 | The dressing of the carcasses is not done on floor. Suitable hoists are provided to hang the carcasses before evisceration. | 2 | 2 |
| 20 | Knives and sharpners (mushtala) are of stainless steel and sterilized/ sanitized before use. | 2 | 2 |
| 21* | All animals are subjected to ante-mortem examination and post-mortem inspection by the authorised veterinarian as per the specified proforma. | 4 | 4 |
| 22 | When dressed meat has to stored without further immediate processing, such storage is maintained at 0°C to 2°C. | 2 | 1 |

| | | |
|----|--|---|
| | S.no.50(p.357) | |
| 15 | (Revised Draft) Effluent Discharge Standards For Slaughter house to be notified by the MOEF [Relevant rules -effluent discharge standards S.no.50(p.360)] | |
| 16 | The Water (Prevention and Control of Pollution) Act,1974 Relevant Section 24(p.373, 374), 25(p.374), 26(p.375), 27(p.375,376), 28(p.376) & 33N(p.378) | |
| 17 | The Water (Preservation and Control of Pollution) Act,1975 [Relevant Rules: From XIII(p.410)] | |
| 18 | The Air (Preservation and Control of Pollution) Act,1981 [Relevant section 21(p.441), 22A(p.443), 23(p.443), 24(p.443, 444), 31A(p.446), 31B(p.446), 37(p.448), 40(p.448, 449) & 41(p.449)] | |
| 19 | Municipal Solid Waste (Management and Handling) Rules,2000, [Relevant Rules- 7(p.456), Scheduled II- 5.No.1 (III)(p.458), 4(p.459,460), 5(p.459, 460), 6 [p.460], Form II clause B(II) (p.472)] | |
| 20 | The National Green Tribunal Act, 2010[Relevant section-14(p.482), 16(p.483)] | |
| 21 | IS 1995:2015 Handling Storage and Transport of Slaughter House by Products Guidelines (1 st Revision) | |
| 22 | IS 1982:2015 Ante Mortem and Post Mortem inspections of meat animals-code of practice(section revision) | Ante-Mortem and Post-Mortem inspections of meat animals-code of practice were conducted according to norms. |
| 23 | IS 4393:2016 Basic Requirements of an abattoir(2 nd revision) | |
| 24 | (Revised) Standards for Discharged of effluents from Slaughter houses, meat processing units and sea food industry. | |


 Chief Veterinary Officer
 Bankuru

शासनादेश संख्या-760/नी-8-2017-29 ज/2017 दिनांक 22 मार्च 2017 के अनुपालन में गठित समिति द्वारा गैसर्स फेयर एक्सपोर्ट इण्डिया प्रा०लि०, अगासन, कुर्सी रोड, बाराबंकी का दिनांक 02/05/2024 को संयुक्त निरीक्षण किया गया। निरीक्षण आख्या निम्नवत् है:-

| Sl.No. | STATUS /STANDARDS/GUIDE LINE AS PER LETTER DATED 07.07.2017 | COMPLIANCE STATUS |
|--------|--|---|
| 1 | Prevention of Cruelty to Animals Act, 1960 (Relevant Sections: Section 3(p,3), 9(b)(p.c), Section 9(e)(p.6), 11(P,7,8)and 3B (P.15,19) | All protocols followed according to rules and regulations. Compliance status is Fair. |
| 0 | Transport of Animals Rules, 1978 (as amended in 2001 and 2009) | ----- |
| 3 | Prevention of Cruelty to Animals (Transport Animals of Foods) Rules,2000 | Compliance status is Fair. |
| 4 | Prevention of Cruelty to Animals (Slaughter house) Rules,2001 | To ensure the Prevention of Cruelty to Animals (Slaughter House) Rules 2001 industry has employed 16 qualifide Veterinary Doctors along with a Government Veterinary Doctor as prescribed by the Act appointed by Govt. body. |
| 5 | Performa for Ante and Post mortem fitness certificates to be issued by the veterinary doctor after examining the animal before and after slaughter to animals as per rules 4 (3) documents: Letter from AWBI to Director/ Commissioner, Municipal Administration of all states and union territories, dated 17-10-2016 (p.49); Letter from AWBI to CEO Food Safety And Standards Authority Dated 17-10-2016 (p.50); Letter from FSSAI to All Central Licensing Authorities and commissioners of food safety of all states/UT's(p.51) | To ensure the Prevention of Cruelty to Animals (Slaughter House) Rules 2001 industry has employed 16 qualifide Veterinary Doctors along with a Government Veterinary Doctor as prescribed by the Act. |
| 6 | Draft Prevention of Cruelty to Animals (Regulation of livestock market) Rules,2016 | Compliance status is Fair. |
| 7 | Central Motor Vehicle (11 th amendment) Rules,2015 (Relevant Rules :Rule 125E(0.69)) | ----- |
| 8 | Central Motor Vehicle (13 th amendment) Rules,2016 (Relevant Rules :Rule 125E(p.71)) | ----- |
| 9 | Food Safety and Standards Act,2006 [Relevant Sections-Section 92 p.118,119] | ----- |
| 10 | Food Safety and Standards Act,2006 (Licensing and Registration of Food Business) Regulations 2011[Relevant regulations – Part-IV (p.161-178) | ----- |
| 11 | Food Safety and Standards (Food Products Standards and Food Additives) Regulations,2011 [Relevant regulations – Regulations 2.5 (p-265)] | ----- |
| 12 | Agriculture and Processed Food Product Export Development Authority (Amendment) Act,2009 [Relevant Sections-section 4(p.344) and section 12 (p.349)] | ----- |
| 13 | Environment Protection Act 1986 (Relevant Section-6&25(p.356) | ----- |
| 14 | The Environment Protection Rules,1986 [Relevant rules –effluent discharge standards | ----- |

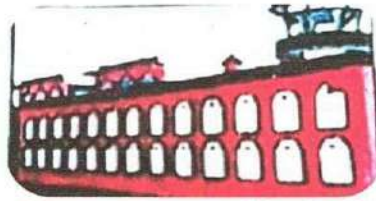


अनुपम वर्मा

जिलाध्यक्ष बाराबंकी

निवास-ग्राम व पोस्ट-हरख, बाराबंकी, 225121

9473527300



किसान भवन सिसौली

भारतीय किसान यूनियन

कार्यालय-
वृद्धाश्रम गोकुलनगर,
बाराबंकी-225001

पत्रांक:.....

दिनांक: 25/09/2024

स्वामी

उपजिलाधिकारी
फतेहपुर-बाराबंकी

महोदय

सादर अवगत कराना है कि मैं द्वारा पूर्व में
अमरुन फूड्स प्राइवेट लि० कुशी में दो रहे अवैध कार्य हेतु
17/11/23 आपन दिया था उस आपन में कुछ कार्य हो गये थे तब
कुछ कार्य नहीं हुए जा निम्न है -

- 1- जानवरो को बने याड में से C.C.T.V. की निगरानी
में उक्त कैमरो में प्रवेश कराया जाय जिससे किसानो
को चोरी हुए जानवरो की पहचान हो सके।
- 2- उक्त कैमरो में डाकरो के वेनल की सूची मुठय गेट
पर चस्पा करायी जाये व एक सूची नाम व फावाइल
नो सहित उपलब्ध करायी जाय।

अतः महोदय से निवेदन है कि उक्त सप्त-याओ को
हल करने की कृपा करें।

अनुपम वर्मा

बयान

मैं निर्मला देवी ग्राम प्रधान ग्राम पंचायत गुग्गौर विकासखण्ड निन्दरा तहसील फतेहपुर जनपद बाराबंकी बयान करती हूँ कि अमरुन फ़ूड्स प्रा. लि. कम्पनी द्वारा कटे जानवरों का अपशिष्ट परिसर के बाहर कहीं खुले में नहीं देखा गया। रेट नदी जो मेरी ग्राम समा की सीमा पर प्रवाहित होती है, उसमें जानवरों का अपशिष्ट, गन्दा खून व गन्दा पानी प्रवाहित होता नहीं देखा गया है। बयान पदक (वस्तीक) लिमा।

निर्मला

मो. नं. 9956568788

(निर्मला देवी)

ग्राम-प्रधान

गुग्गौर विकासखण्ड निन्दरा
फतेहपुर-बाराबंकी

श्रीमती निर्मला देवी ग्राम प्रधान गुग्गौर तहसील फतेहपुर जिला बाराबंकी के द्वारा उक्त बयान राष्ट्रीय हरित याधाधिकरण नई दिल्ली के पत्र 84/2024 में पारित आदेश दिनांक 03.9.2024 के तमामे घटित सचिब के समक्ष अंकित किया गया।

दि. 9/9/24
अमित देव
सचिव
क्षेत्र-
बाराबंकी

251

श्री- आशीश पुत्र प्रभु ग्राम बहरौली बुखी
 बाराबंकी तहसील फतेहपुर जनपद बाराबंकी
 निवासी हैं। मैंने अग्ररुन मैक्ली / मैयर स्वसपोर्ट
 के कार्चरियों को जानपरो का अपाशीठ कम्पनी के
 वाएल फेकते दुरु नही देखा है। अग्ररुन मैक्ली /
 मैयर स्वसपोर्ट के जानपरो का अपाशीठ, मर्यापनी
 तथा वायदा रूनु शेर नदी में धुवाहित होता हुआ
 मैरे। दूय नही गया है। मुझे अग्ररुन मैक्ली /
 मैयर स्वसपोर्ट के आस-पास रहे से कोई
 शकशा नही होती है।

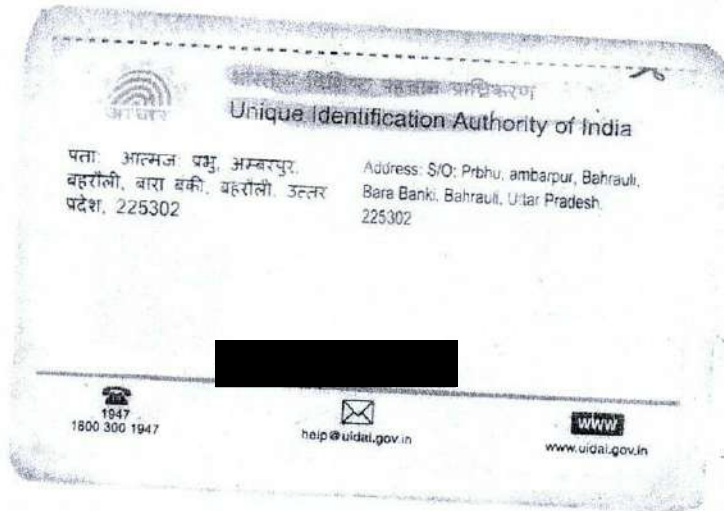
श्री आशीश पुत्र प्रभु निवासी ग्राम बहरौली
 तहसील फतेहपुर बाराबंकी के द्वारा दिया गया
 उक्त बयान राष्ट्रीय हरित न्यायाधिकरण
 नई दिल्ली प्रार्थना पत्र 841/2024 में पारित
 भोदशा दिनांक 03-09-2024 के अंत में गाठल
 समिति के समक्ष अंकित किया गया।

प्र. 5-2
 कमिल देव
 राजस्व क्षेत्रपाल
 क्षेत्र- बुधिया

आशीश

श्री 0-

8052380527



श्री सफात अहमदपुर शकील गोंप अगाखंड
दुसरी वाराबकी तहसील फाखैपुर जनपद वाराबकी

निवासी हूँ मैंने अमरुन फेवरी / फेयर एक्सपोर्ट के
कर्मचारियों को जानपरो का अपशिष्ट कम्पनी के
बाहर फेकते नही देखा है। अमरुन फेवरी /
फेयर एक्सपोर्ट के जानपरो का अपशिष्ट, गन्दा पानी
तथा गन्ना खून रेश नदी के पुराहित होला इसा
भैरे झील नदी देखा गया है। मुझे अमरुन फेवरी
फेयर एक्सपोर्ट के आस पास रहने में कोई
समस्या नही होती है।

Safat

8795459524

श्री सफात अहमदपुर शकील निवासी गंग
अगाखंड पर कुली फतेहपुर वाराबकी के डाटा दिया
गया उक्त बयान रावडी मे हरित न्यायाधिकरण
नई दिल्ली द्वारा प्रार्थना पत्र 841/2024 के पारित अफिस
दिनांक 03.09.2024 के उम के गठित समिति के
समक्ष अंकित किया गया।

15.9.24
कमिल खन्
राजस्व अधिकारी
क्षेत्र-कुली

भारत सरकार
Government of India

सफ़ात अहमद
Saffat Ahmad
जन्म तिथि/DOB: 05/07/1983
लिंग, MALE

Issue Date: 07/05/2015

VID : 9171 6874 0568 5768

मेरा आधार, मेरी पहचान

श्री मोठदानिशा पुत्र मोठफरीद ग्राम बसारा

कुशी बाराबंकी तहसील तहफतपुर जनपद बाराबंकी निवासी हूँ। मैं अमरुन केवरी / कैमर स्वसपोर्ट के कर्मचारियों को जानवरों का अपशिष्ट कचरे के बाहर फेंकते हुए नहीं देखा है। अमरुन केवरी कैमर स्वसपोर्ट के जानवरों का अपशिष्ट, गन्दा पानी तथा गन्दा खुन शेर नदी में प्रवाहित होता हुआ मेरे द्वारा नहीं देखा गया है। मुझे अमरुन केवरी कैमर स्वसपोर्ट के आस पास रहने में कोई समस्या नहीं होती है।


मोठदानिशा
हस्ताक्षर

मोठनी

श्री मोठदानिशा पुत्र मोठफरीद निवासी ग्राम बसारा तहफतपुर जनपद बाराबंकी के डायरिया गया उक्त बयान राष्ट्रीय हरित न्यायाधिकरण नई दिल्ली के पत्र 841/2024 में पारित आदेश दिनांक 03-09-2024 के अंतर्गत में गांधी समिति के समक्ष अंकित किया गया।

03.09.24
कपिल देव
राजस्व लेखपाल
कुशी

भारत सरकार
Government of India




मो. दानिश
Mo. Danish
पिता : मो. फरीद
Father : Mo. Fareed
जन्म तिथि / DOB : 01/01/2006
पुरुष / Male





मेरा आधार, मेरी पहचान

भारतीय विधिक पहचान प्राधिकरण
Unique Identification Authority of India



पता: आत्मज मो. फरीद, बसारा, बारा बंकी, कुर्सी, उत्तर प्रदेश, 225302
Address: S/O: Mo. Fareed, Basara, Bara Banki, Kursi, Uttar Pradesh, 225302

1947  help@uidai.gov.in  www.uidai.gov.in

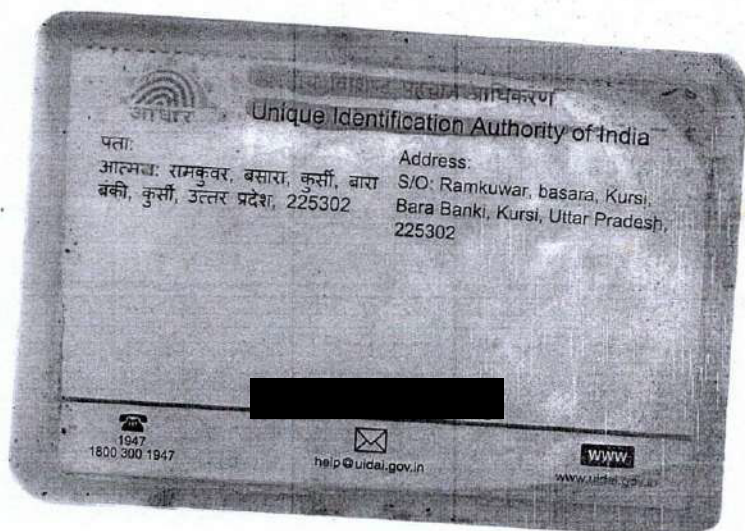
मैं अनिल कुमार पुत्र रामकुमार ग्राम बसारा
 कुशी वाराणसी तहसील फतेहपुर जमपद बाराबंकी का
 निवासी हूँ। मैं अमरून फैक्ट्री / फैसल रक्सपोर्ट
 के कर्मचारियों को जानवरों का अपरिष्ठ कंपनी
 के बाहर फैकरी हूय नहीं देखा हूँ। अमरून फैक्ट्री
 फैसल रक्सपोर्ट के जानवरों का अपरिष्ठ, बादा
 पानी तथा गदा खून रैट नदी में प्रवाहित
 होता हुआ मेरे द्वारा नहीं देखा गया है मुझे
 अमरून फैक्ट्री / फैसल रक्सपोर्ट के आस पास
 रहने में कोई समस्या नहीं होती है।

श्री अनिल कुमार पुत्र रामकुमार निवासी ग्राम
 बसारा पर कुशी तह. फतेहपुर जिला बाराबंकी
 के द्वारा दिया गया उक्त वयान राष्ट्रीय हरित
 आयाधिकरण नई दिल्ली के पत्र 841/2024
 में पारित आदेश दिनांक 03.09.2024 के अंत
 में गठित समिति ने समझ किया गया।

18.9.24
 अनिल कुमार
 बसारा

अनिल कुमार
 हस्ताक्षर -

मोबाइल नं० -



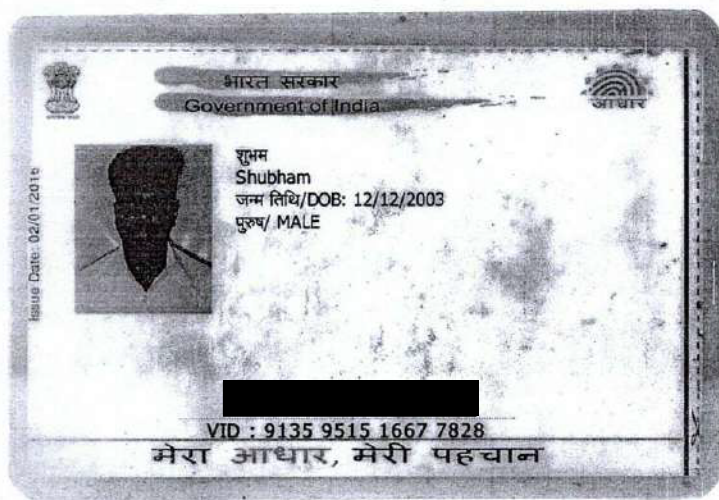
श्री शुभम पुत्र संतराम ग्राम बसारा
 कुशी बकादकी तहसील फतेहपुर जनपद बाराबंकी का
 निवासी हूँ। मैंने अमरून फैक्ट्री / फेयर स्क्वैरी के
 कर्मचारियों की जानवारी का अपशिष्ट कचरा को
 बाहर फेंकते हुए नहीं देखा है। अमरून फैक्ट्री।
 फेयर स्क्वैरी के जानवारी का अपशिष्ट, गन्दा पानी
 तथा गन्दा खुन रेत नदी में प्रवाहित होता हुआ
 भीरे द्वारा नहीं देखा गया। मुझे अमरून फैक्ट्री /
 फेयर स्क्वैरी के आस-पास रहने में कोई
 समस्या नहीं होती है।

श्री शुभम पुत्र संतराम निवासी ग्राम बसारा
 पर कुशी फतेहपुर जनपद बाराबंकी के द्वारा
 दिया गया उक्त बयान राष्ट्रीय हरित-याचिकाएँ
 नई दिल्ली द्वारा प्रायना पत्र 84/2024 में पारित
 आदेश दिनांक 03-09-2024 के तहत में गाठित
 समिति के समक्ष प्रस्तुत किया गया।

13.9.24
 कपिल देव
 राज्य निजामत
 क्षेत्र-कुशी

शुभम
 एस्टाब्लिश -

श्री 0 नं -



मैं... श्री मो फुरकान पुत्र बाबू ग्राम नयापुरवा
 कर्ना वाराणसी तहसील मन्तपुर जवध वाराणसी
 का निवासी हूँ मैं अमरन फैक्ट्री/जैयार स्क्वसपोर्ट के
 कर्मचारियों की जानपरी का अपशिष्ट कम्पनी के
 वाएल फिक्ते कृषि नदी देखा है। अमरन फैक्ट्री /
 जैयार स्क्वसपोर्ट के जानपरी का अपशिष्ट, गन्दा पानी
 तथा गन्दा स्लून रेट नदी में प्रवाहित होता हुआ
 मेरे द्वारा नदी देखा गया है। मुझे अमरन फैक्ट्री/
 जैयार स्क्वसपोर्ट के आस-पास रहने में कोई
 समस्या नहीं होती है।

श्री मो फुरकान पुत्र बाबू निवासी ग्राम
 नयापुरवा मन्तपुर कुशी तहसील मन्तपुर जिला
 वाराणसी के द्वारा दिया गया उक्त बयान
 राष्ट्रीय हरित न्यायाधिकरण नई दिल्ली
 ने पत्र 841/2024 में पारित आदेश
 दिनांक 03-09-2024 के अन्तर्गत गठित
 समिति के समक्ष किया गया।

श्री मो फुरकान

मो. नं०. 9125 398050

13.9.24
 कपिल दय
 वाराणसी
 कुशी

262
 मैं शमशुल कमर पुत्र नसरुद्दीन गाम अगासंड

तहसील फतेहपुर जनपद बाराबंकी का निवासी हूँ। मैंने अमरून फैक्ट्री / फेयर एक्सपोर्ट के कर्मचारियों को जानवरों का अपशिष्ट कंपनी के बाहर फेंकते हुए नहीं देखा है अमरून फैक्ट्री फेयर एक्सपोर्ट के जानवरों का अपशिष्ट, गन्दा पानी तथा गन्दा खून रेट नदी में प्रवाहित होता हुआ मैंने द्वारा नहीं देखा गया है। मैं मुझे अमरून फैक्ट्री।

फेयर एक्सपोर्ट के आस-पास रहने में कोई समस्या नहीं होती है।

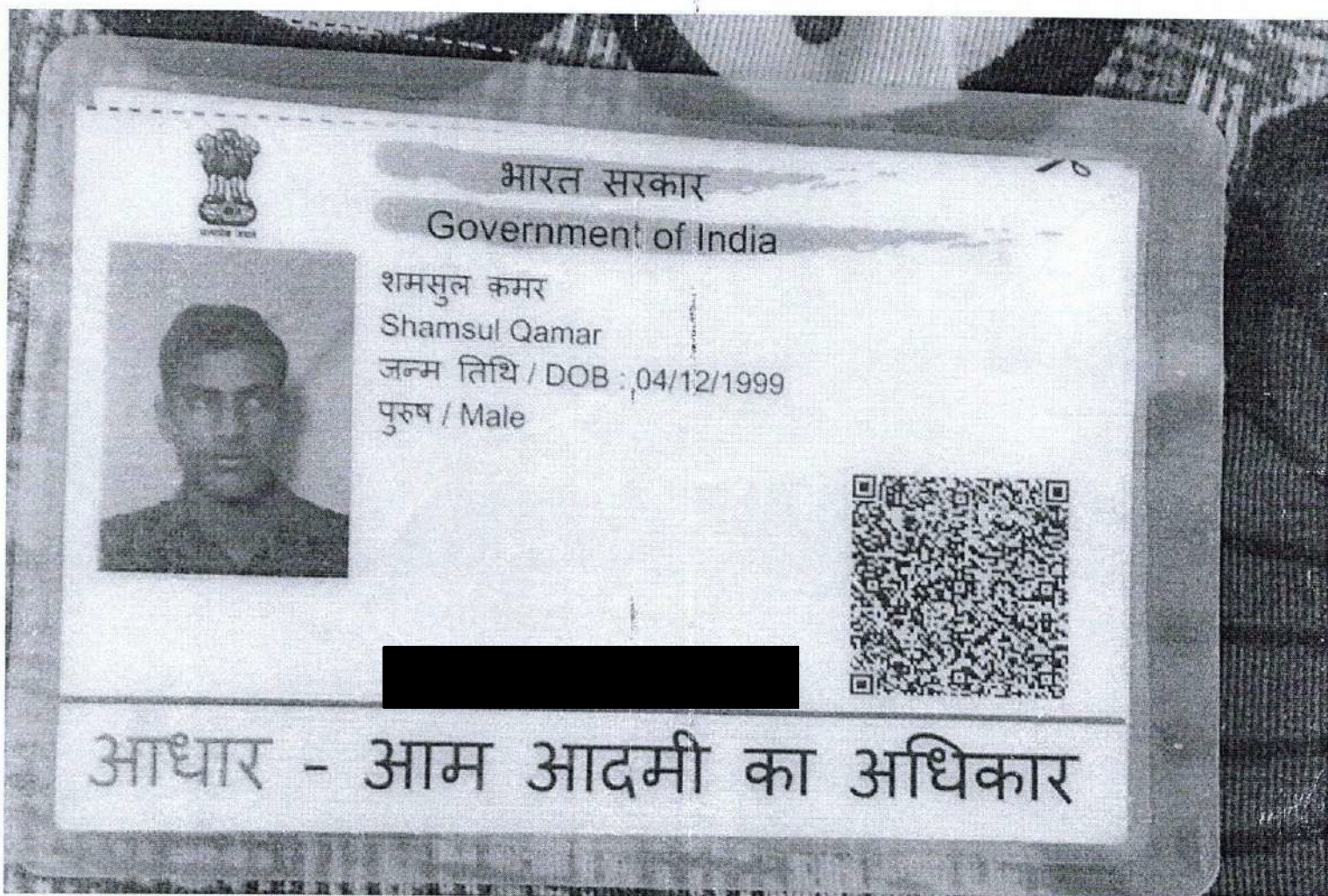
Shamsul Qamr
 हस्ताक्षर

श्री शमशुल कमर पुत्र नसरुद्दीन निवासी
 अगासंड तह. फतेहपुर जिला बाराबंकी
 के द्वारा उपर्युक्त बयान सचिवालय-यात्रा विलय
 नई दिल्ली के पत्र 84-1/2024 में पारित
 आदेश दिनांक 03.09.2024 के अम में
 ग्रामिण समिति के समक्ष अंकित किया गया।

13.9.24
 जिला अधिकारी
 बाराबंकी

मोबा. नं०

6387293744



मैं मोहम्मद शाद पुत्र मोहम्मद सदाकत
 ग्राम अगाशद कुशी बारांकी तहसील
 फतेहपुर जनपद बारांकी

का निवासी हूँ मैंने अमरन जैविकी
 फेपर एम्प्लॉय के कर्मचारियों का
 जानवरो का अपशिष्ट कंपनी के बाहर
 नदी देखा है अमरन जैविकी फेपर
 एम्प्लॉय के जानवरो का अपशिष्ट
 गंधा पानी तथा गंधा खून रेश नहीं
 मैं प्रवाहित होता हुआ मेरे द्वारा
 नदी देखा जाता है कुशी अमरन
 जैविकी फेपर एम्प्लॉय के आठ
 पाथ रहने में कोई समस्या
 नहीं होती है।

श्री मोहम्मद शाद पुत्र मोहम्मद सदाकत
 निवासी ग्राम अगाशद तहसील फतेहपुर जिला
 बारांकी के द्वारा उच्च न्याय राष्ट्रीय घात
 याचिका नई दिल्ली, अपत्र 841/2024
 में पारित आदेश दिनांक 03.09.2024 से
 क्रम में गठित समिति के समक्ष दलित किया गया।

03.09.24

कुशी

Signature
 इस्ताइल

मो

8112416438

266
 मैं - - - श्री० अकरम पुत्र - - श्री० अनवर ग्राम
 गौरघर तहसील फतेहपुर जनपद बाराबंकी
 का निवासी हूँ। मैंने अमरन फैक्ट्री / फैबर स्वसपोर्ट
 के कर्मचारियों को जानवरों का अपशिष्ट कंपनी के
 बाहर फेंकते हुए नहीं देखा है। अमरन फैक्ट्री /
 फैबर स्वसपोर्ट के जानवरों का अपशिष्ट, गन्दा प्रसी
 तथा गन्दा स्कून रेट नदी में प्रवाहित होता हुआ
 मेरे द्वारा नहीं देखा गया है। मुझे अमरन फैक्ट्री
 फैबर स्वसपोर्ट के आस-पास रहने में कोई
 समस्या नहीं होती है।

श्री० अकरम

श्री० न० 9115246057

श्री० श्री० अकरम पुत्र श्री० अनवर ग्राम गौरघर
 मजरे बहरीली तह० फतेहपुर जिला बाराबंकी
 के द्वारा दिनांक 03-09-2024 में पारित
 भारत-मायापिल्लण नदी दिल्ली लेपत्र 04/
 2024 में पारित आदेश दिनांक 03-09-2024
 के क्रम में गठित समिति के समक्ष अंकित
 किया गया।

19.9.24
 कचिल देव
 धरमपुर
 क्षेत्र - कुशी

श्री मो० सुरेश पुत्र रईस अहमद ग्राम
 गौरधर तहसील जहतेपुर जनपद बाराबंकी का
 निवासी हूँ। मैंने अमरुन मैक्सी/जैयद रक्सपोट के
 कर्मचारियों को जातवरो का अपशिष्ट कम्पनी
 के कार्ड निकते दुरु नही देखा है। अमरुन मैक्सी
 जैयद रक्सपोट के जातवरो का अपशिष्ट, गन्दा पानी
 तथा गन्दा रक्त रेत नदी में प्रवाहित होता हुआ
 मेरे द्वारा नदी देखा गया है। मुझे अमरुन मैक्सी
 जैयद रक्सपोट के आस-पास रहने में कोई
 समस्या नही होती है।

श्री मो० सुरेश पुत्र रईस अहमद निवासी ग्राम
 गौरधर तहसील जहतेपुर जिला
 बाराबंकी के द्वारा दिया गया उष्ण बयान
 राष्ट्रीय चरित -यायापिन (प) मई दिल्ली
 के यत्र 841/2024 में पारित आदेश क्रान्त
 03.09.2024 के तम में गठित समिति के
 समक्ष किया गया।

श्री सुरेश
 9140647199

19.9.24
 समिति के
 अध्यक्ष - सुरेश