

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

Original Application NO. 102 OF 2021

Tanaji Ruikar }... Applicant (s)

V/s.

Kolhapur Municipal Corporation & ors }... Respondents

Affidavit in reply in behalf of Respondent No. 1 & 2

i.e. Kolhapur Municipal Corporation.

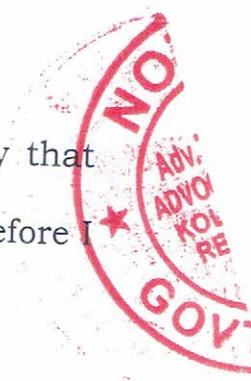
I, Mr. Ravikant Dadu Adsul, Age: 39, Occupation - Dy. commissioner, Kolhapur Municipal Corporation. Residing at Kolhapur.

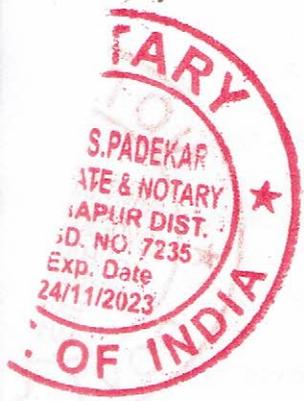
do hereby state an behalf of Respondent No. 1 & 2 as under.

1. The Kolhapur Municipal Corporation has received notice of instant application on 20/01/2022, along with copy of original application. After going through the contents of application I am giving reply to the same. The contents which are not denied specifically by me may not be construed to be admitted by me. I crave leave of this Hon'ble Tribunal to file further reply as and when required or directed by this Hon'ble Tribunal.

2. With respect to Para No. I of the application I say that the name and address of advocate is maintain therefore I have nothing to reply/say and the same.

3. With respect to Para No. II of the application I say that the contents raised therein are partially false therefore, denied by me. I say that it is specifically denied that the Kolhapur Municipal Corporation is running the slaughter house illegally. it is further denied that while running and operating of slaughter house, there is discharge of effluents into the ground water, drains, rivers and extracting ground water, without any lawful authority. I say that though it is correct to state that consent from M.P.C.B. to operate slaughter house is not yet received due to technical issue, still the Kolhapur Municipal Corporation is having valid licence issued by the FSS authority of India, Government of Maharashtra. I say that the said licence is issued in accordance with and after following due procedure provided under the FSS Act 2006. I say that at present the licence issued by the authority is valid and insubsistance till 29/06/2022. I further say that there is no extraction of ground water, from the respondent for the purpose of slaughter house.





I say that there is no collusion between the respondents. Sins no effluents are discharged from the slaughter house hence question of irreversible damage to the environment and ecology of river Panchganga does not arise.

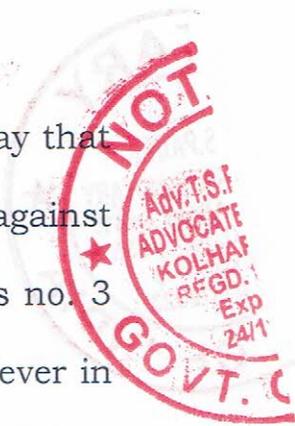
4. With respect to Para No. III to instant respondent has after no comments.
5. With respect to Para No. 1 of brief fact the contents therein are within the knowledge of applicant and the respondent herein are not concern with the save.
6. With respect to Para No. 2 of the brief fact I say that the appropriate authority authorized under the provisions of FSS act 2006 has issued a valid licence, renewable after every year. Therefore from record it is crystal clear that the permission to run slaughter house has been given to Kolhapur Municipal Corporation by the appropriate authority. Thus the contents of applicant in respect of running the slaughter house illegally is denied in toto. Herein to annexed and marked at **Exh. "A"** is a copy of licence issued by the FSS authority.

7. With respect to Para No. 3 to 6 of the brief fact I say that the contents and allegations are levelled against respondent no. 3 to 6. Therefore the respondents no. 3 to 6 are in better position to reply the same. However in para no. 4 the applicant has stated that the respondent no. 8 and 9 are responsible to plan compressive program for prevention and control of pollution. But after perusal of cause title of the application it appears that the applicant as arrayed only 6 respondent including present respondent.

8. With respect to Para No. 7 of brief facts the contents therein are within the knowledge of applicant and the respondent herein are no concern with the said fact.

9. With respect to Para No. 8 to 10 of the brief fact I say that the applicant has made allegations against respondent no. 4 and present respondent has no comment the same.

10. With respect to Para No. 11 of the brief fact I say that it is correct to state that the officer of M.P.C.B. has visited to the slaughter house and submitted the inspection





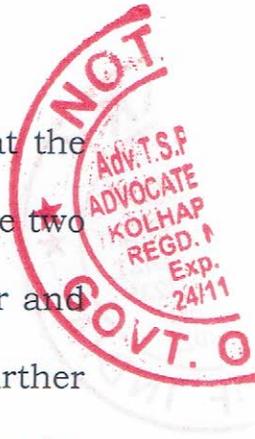
report. The said inspection report clearly depicts that though the consent of MPCB for slaughter house is not there still the permission granted by appropriate authority is available. From the inspection report it further appears that the appropriate authority has given permission for slaughtering of 149 animals per day.

Therefore it is denied that the slaughter house is running without the permission. I further say that on the relevant date of visit the electricity was not available at the site, but after the visit of officer of M.P.C.B. within 10 to 15 days the bio-gas plant has been started operating and till date it is in operation.

I say that before starting operation at bio-gas plant there was plant for treatment of effluent generated in the slaughter house. Earlier the effluent was treated by using traditional method and excess water remaining after treatment was suction and send to the S. T. P. plant. Thus neither effluent nor water was and is discharged out of slaughter house.

I say that the applicant has made misleading statement that approximately 60 to 70 animals slaughter daily at the site. After careful perusal of inspection report dated 08/12/2020 it appears that only on Sunday

and Wednesday 60 to 70 animals were slaughtered at the site. But it is pertinent to note that apart from these two days the numbers of slaughtered animals is meager and it may be around 10 to 15 animals per day. It is further pertinent to note that in fact since last one year the number is further reduced and only 548 animals are slaughtered in slaughter house. The respondents craves leave this Hon'ble Tribunal to produced and rely upon data showing number of animals slaughtered in the slaughter house.



11. With respect to Para No. 12 of the brief fact I say that it is admitted that the Kolhapur Municipal Corporation has received show clause notice issued by the M.P.C.B. Accordingly the Kolhapur Municipal Corporation has taken appropriate steps to start operation of Bio-gas plant. I say that both the newly established Bio-gas plant started operation on 01/12/2020 and till date is in operation. Herein to annexed and marked at **Exh. "B"** are photographs.

12. With respect to Para No. 13 of the brief fact I say that the Kolhapur Municipal Corporation has received valid



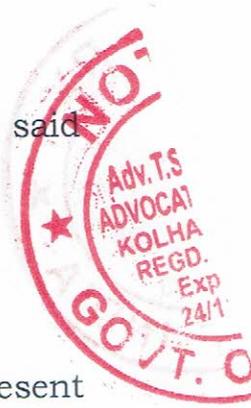
licence for the slaughter house situated at Bapat Camp, Kolhapur. I say that the application for obtaining consent of M.P.C.B. was preferred but due to technical issues and unavoidable circumstances the fees necessary for obtaining consent was not paid. As a result the Kolhapur Municipal Corporation could not get the consent from M.P.C.B., I say that now the Kolhapur Municipal Corporation has paid consent fees on 27/12/2021. But while checking the status of consent present respondent came to know that amount of consent fee is increased. I say that the Kolhapur Municipal Corporation is ready and willing to pay the increased consent fee at the earliest.

13. With respect to Para No. 14 of the brief fact I say that since the Kolhapur Municipal Corporation is having valid licence issued by appropriate authority there by granting permission to manufacturer/slaughtering unit for the slaughter house situated at Bapat Camp. The Bio-gas plant has also been established and in operation therefore the question of discharging untreated effluent out of slaughter house does not arise. I say that even from the inspection reports of officer of M.P.C.B. it is

crystal clear that no effluent is discharge out of the said unit.

14. With respect to ground A of application I say that present respondents are operating the slaughter house. Pursuent to the license and permission granted by the appropriate authority authorized under the FSS Act 2006. I further say that the applicant herein is mixing the issue of consent and permission. As far as the consent of M.P.C.B. is concerned the Kolhapur Municipal Corporation has applied for the same and it is at the verge of receiving by the Kolhapur Municipal Corporation.

15. With respect to ground B of application I say that the contents raised therein are false and fabricated. I say that the Kolhapur Municipal Corporation has started bio-gas plant for treatment of effluents generated in the slaughter house. It is pertinent to note that the excess water remaining after treatment was suctioned and sent to S.T.P. Therefore noting is discharged from the slaughter house.



- 
16. With respect to ground C & D of application I say that the contents therein are false. Therefore denied by me.
17. With respect to ground E of application I say that the contents therein are false. I say that the Bio-gas plant has started its operation since December 2020. The respondents craves leave of this Hon'ble Tribunal produce and relay upon copies of electricity bill as and when required.
18. With respect to ground F of application I say that the contents are false and denied by me. I say that the Bio-gas Plant established for the slaughter house is having capacity to treat effluent generated in the slaughter house. I further say that after treatment the excess water, suctioned and sent to the S.T.P. for treatment. Therefore the contention of applicant that "all the hazardous effluents directly drain in to Municipal drainage and thereafter Municipal drain directly mix with river Panchganga" is baseless and without any supporting documents. I say that since storage of slaughter animals is not required because the vendor in need of slaughtered animal took it immediately after

slaughter. Therefore question of cooling and refrigerating system does not raised.

19. With respect to ground G of application I say that the contents raised therein are false and denied by me. I say that the Veterinary Officer appointed by Kolhapur Municipal Corporation is regularly attending the slaughter house and checking the animals. The Veterinary Officer after checking is issuing certificate there by certifying as to animal is feet for consumption or not. The respondents crave leave of this Hon'ble Tribunal to produce and rely upon record showing the certificate.
20. With respect to ground H of application I say that the contents false denied by me. As far as extracting ground water is concern. I say that the Kolhapur Municipal Corporation has not started extraction of ground water. The Kolhapur Municipal Corporation has now received NOC from C.G.W.A. for extraction of ground water. The extraction of ground water is not needed regularly for slaughter house. The ground water shall be extracted in the exigencies like shortage a non supply of water for Corporation and this will not be more than 2000 litre.



Apart from their reasons the extraction of ground water is not needed. Hereinto annexed and marked at **Exh. "C"** is a copy of NOC issued by C.G.W.A.

21. With respect to ground I of application I say that the contents raised therein are in respect of respondent no.4, therefore the present respondent has nothing to comment in the same.
22. With respect to 12 to 15 of brief facts I say that the same are general remarks therefore I after no comments.
23. With respect to interim prayer of the applicant I say that the closer of slaughter house amount to cause great inconvenience to the citizens as well as FSSAI licensed vendors running meat shop within the vicinity of Kolhapur Municipal Corporation. Therefore interim prayer of the applicant be rejected.
24. With respect to prayer of applicant I say that in view of peculiar fact and circumstances of the present case the application file by the applicant be dismissed with cost.



Kolhapur
Date : 10 /03/2022

Sameer Tambekar
Sameer Tambekar
Advocate

VERIFICATION

I, Mr. Ravikant Dadu Adsul, Age: 39, Occupation - Dy. commissioner, Kolhapur Municipal Corporation. Residing at Kolhapur. do hereby state on solemn affirmation that whatever is stated in para 1 to 22 is true and correct to the best of my knowledge and belief and what is stated in para no 23 to 24 are my humble prayers which are based on my information which I believe to be true and I have signed this day of March 2022

Kolhapur
Date : 10 /03/2022

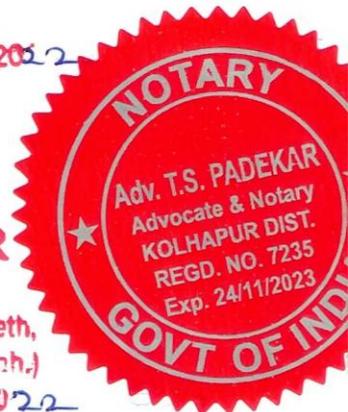
Deponent
Ravikant

Identified, and Interpretate

SOLEMNLY affirmed before me
by Ravikant Dadu Adsul, Kolhapur.
who is identified before me
by SELF
who I personally know
This 10 Day of 03 /2022

By Me

T. S. Padekar
T. S. PADEKAR
ADVOCATE & NOTARY
2333, 'C' Ward, Near Shaniwar Peth,
Post Office, Kolhapur-416 002(Mah.)
Notary Regi. Sr. No 2023/2022



10 MAR 2022



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



License Number: 11520042000267



1. Name & Registered Office address of Licensee:

SLAUGHTER HOUSE KOLHAPUR MUNICIPAL - CORPORATION
 R.S.No.46/4K, Bapat Camp, Opp. Shri Shahu Market Yard, E ward, Kolhapur, Maharashtra-416005

2. Address of Authorized Premises:

R.S.No.46/4K, Bapat Camp, Opp. Shri Shahu Market Yard, Kolhapur City Ward-E, Kolhapur, Maharashtra-416005

3. Kind of Business:

Manufacturer - Slaughtering units

4. Dairy Business Details:

No

5. Category of License:

State License

This license is granted under and is subject to the provisions of FSS Act, 2006 all of which must be complied with by the licensee.

Place: Kolhapur

Designated Officer

Issued On: 26-06-2021 (Renewal License)

Valid Upto: 29-06-2022 (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.

Product Annexure



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



License Number: 11520042000267

Kind Of Business: Manufacturer - Slaughtering units

Product Type	Animal Description	Production Capacity/Day
Small Animal	Goat And Sheep	149

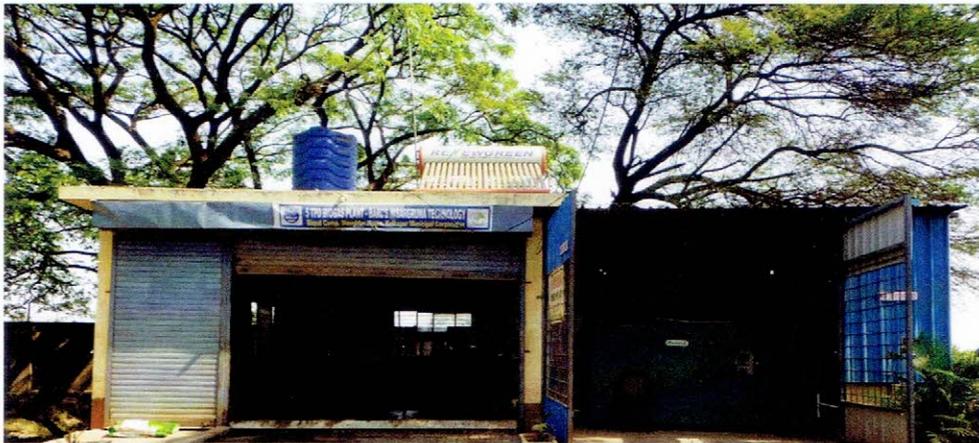


P76C+7X4, Jadhavwadi, Kolhapur, Maharashtra 416005, India

Kolhapur
Maharashtra
India

29°C
84°F

2022-03-03(Thu) 10:26(AM)



P76C+7X4, Jadhavwadi, Kolhapur, Maharashtra 416005, India

Kolhapur
Maharashtra
India

29°C
84°F

2022-03-03(Thu) 10:25(AM)

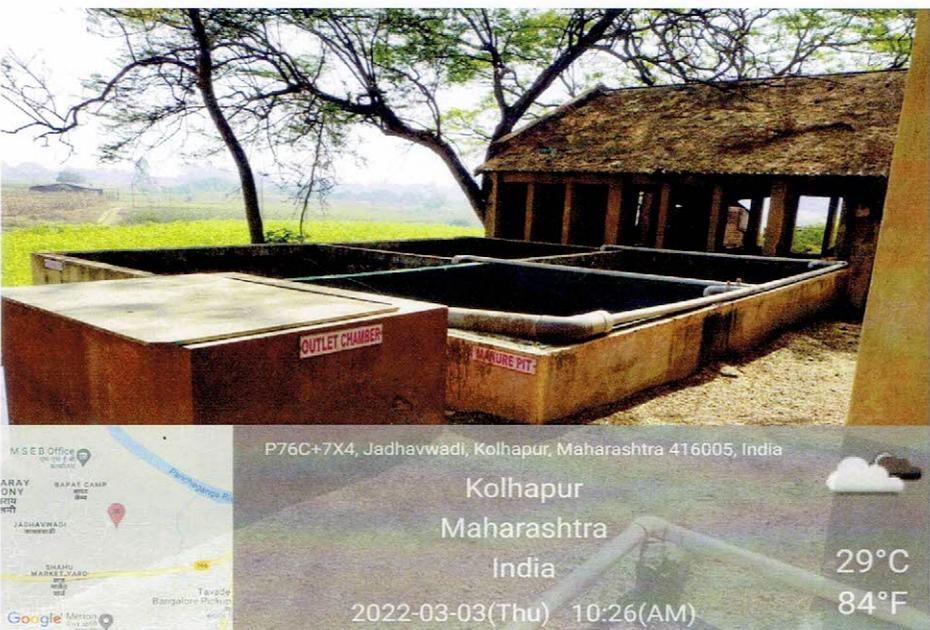
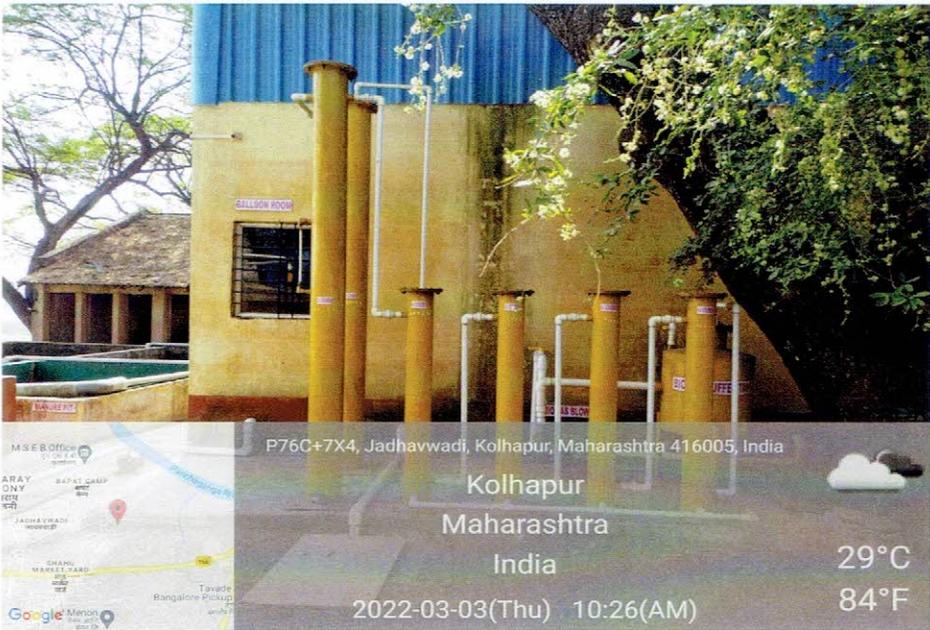
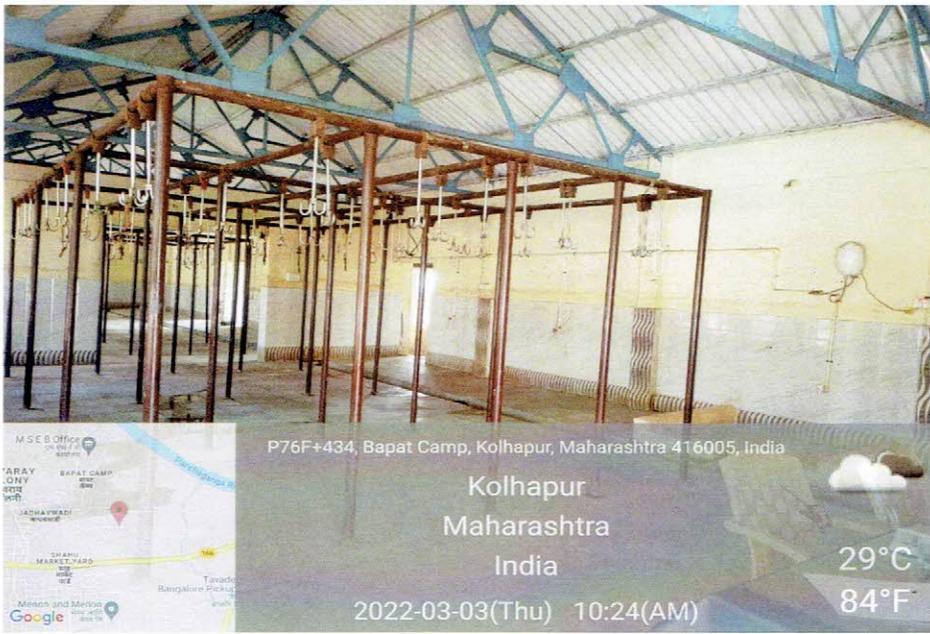


P76F+434, Bapat Camp, Kolhapur, Maharashtra 416005, India

Kolhapur
Maharashtra
India

29°C
84°F

2022-03-03(Thu) 10:24(AM)





भारत सरकार
जल शक्ति मंत्रालय
जल संसाधन, नदी विकास
और गंगा संरक्षण विभाग
केन्द्रीय भूमि जल प्राधिकरण
Government of India
Ministry of Jal Shakti
Department of Water Resources,
River Development & Ganga Rejuvenation
Central Ground Water Authority

(भूजल निकासी हेतु छूट प्रमाण पत्र)
Certificate of Exemption for Ground Water Withdrawal

Project Name:	Kolhapur Municipal Corporation Slaughter House		
Project Address:	R.s. No. 46/4 K, Bapat Camp, E Ward		
Town:	Kolhapur (m Corp.)	Block:	Karveer
District:	Kolhapur	State:	Maharashtra
Pin Code:			
Communication Address:	Kolhapur Municipal Corporation Main Building, C Ward, Shivaji Chauk, Karveer, Kolhapur, Maharashtra - 416002		
Address of CGWB Regional Office :	Central Ground Water Board Central Region, N.s. Building, Civil Lines, Nagpur, Maharashtra - 440001		

1. Application No.:	21-4/7679/MH/IND/2022	2. Category:	Safe			
		(GWRE 2020)				
3. Project Status:	Existing Project	4. Valid From	24/02/2022			
5. Ground Water Abstraction Permitted:						
	Fresh Water	Saline Water	Dewatering	Total		
	m ³ /day	m ³ /year	m ³ /day	m ³ /year	m ³ /day	m ³ /year
	2.00					

This is to certify that as per information furnished by the applicant, M/s KOLHAPUR MUNICIPAL CORPORATION SLAUGHTER HOUSE comes under Micro and Small Enterprises category and has ground water withdrawal of less than 10 cum/day. As per S.O. 3289(E) dated 24/09/2020 by Department Of Water Resources, River Development and Ganga Rejuvenation, guidelines to regulate and control ground water extraction in India, 2020 Micro and small Enterprises drawing ground water less than 10 cum/day are exempted.

The firm is exempted from seeking NOC. The firm shall install digital water flow meter on all ground water abstraction structures and maintain the logbook.

This certificate is system generated and based on information provided by the applicant. CGWA has not verified the claim made by applicant. Any false information furnished/ violation by the applicant, shall invite legal action against him/her as per S.O. 3289(E) dated 24/09/2020.

यह प्रमाणित किया जाता है कि आवेदक द्वारा दी गई सूचना के अनुसार मैसर्स सूक्ष्म और लघु उद्यम श्रेणी के अंतर्गत आता है और इसमें 10 m³ / दिन से कम भूजल निकासी है। जल संसाधन, नदी विकास और गंगा संरक्षण विभाग द्वारा दिनांक 24.09.2020 के SO 3289 (E) के अनुसार, भारत में भूजल निष्कर्षण को विनियमित और नियंत्रित करने के लिए दिशा-निर्देश, 2020 सूक्ष्म और लघु उद्यमों को 10 m³/ दिन से कम भूजल खींचने वाले को छूट दी गई है।

फर्म को NOC लेने से छूट दी गई है। फर्म सभी भूजल निष्कर्षण संरचनाओं पर डिजिटल जल प्रवाह मीटर स्थापित करेगी और लॉगबुक बनाए रखेगी।

यह प्रमाण पत्र सिस्टम जनरेटेड है और आवेदक द्वारा प्रदान की गई जानकारी पर आधारित है। CGWA ने आवेदक द्वारा किए गए दावे का सत्यापन नहीं किया है। आवेदक द्वारा दी गई कोई भी गलत सूचना/उल्लंघन, एसओ 3289(ई) दिनांक 24/09/2020 के अनुसार उसके खिलाफ कानूनी कार्रवाई को आमंत्रित करेगा।

This is an auto generated document & need not to be signed.

18/11, जामनगर हाउस, मानसिंह रोड, नई दिल्ली - 110011 / 18/11, Jamnagar House, Mansingh Road, New Delhi-110011

Phone: (011) 23383561 Fax: 23382051, 23386743

Website: cgwa-noc.gov.in

पानी बचाये - जीवन बचाये
SAVE WATER - SAVE LIFE