

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH

Original application No.317/2022

Bachu Naga Venkateswara Rao & Ors

Applicant

Versus

State of Andhra Pradesh

Respondent

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Place: Eluru
Date: 27.04.2023

Environmental Engineer, APPCB,
Regional Office, Eluru.

**STATUS REPORT OF A.P. POLLUTION CONTROL BOARD IN THE MATTER OF
O.A.NO.317 OF 2022(PB).**

1. The Original Application (O.A.) No.317 of 2022(PB) has been registered in Hon'ble National Green Tribunal (NGT), New Delhi based on email sent by Mr. Bachu Naga Venkateswara Rao & Ors. Eluru, Andhra Pradesh in the matter of operating Municipal Slaughter house in Town Survey No.1707/3 in municipal corporation area of Eluru located at 10th Ward, Madepalli, Bhimavaram Road, Eluru, Andhra Pradesh.
2. The Hon'ble NGT in its Order dt.10.05.2022 constituted a Joint Committee comprising of CPCB, State PCB and Collector, Eluru and directed to verify the factual position, look into the grievances of the applicants and take remedial action in accordance with law by following due process. The Joint Committee met on 06.07.2022 and visited the Slaughter house operated by Eluru Municipal Corporation. The report dt.29.07.2022 of the joint committee was filed before Hon'ble Tribunal.
3. The Hon'ble NGT (PB) heard the matter on 04.08.2022 and directed the Andhra Pradesh Pollution Control Board (APPCB) to file further report with details regarding compliance with directions given by Hon'ble Supreme Court vide order dated 23.08.2012 in W.P. (Civil) No.309/2003. APPCB has filed status report on 29.10.2022 before Tribunal in the matter.
4. Further, the Hon'ble Tribunal vide Order dt: 03.03.2023 opined that some aspects were not referred to at the time of arguments and require clarification on the following (Point No.8 of Order dt: 03.03.2023). Copy of order is enclosed as **Annexure-A**.
5. The present status of the municipal slaughter house of Eluru is submitted below:

Point No.8 of Order dt: 03.03.2023	Compliance & Present status	
Further, the CTO given by the ASPCB to the Project Proponent was valid upto 16.01.2023 which has already expired and present status regarding the same is required to be ascertained as to whether the Slaughter house is thereafter functional or not. The Project Proponent has entered into an agreement dt: 0.03.2021 with M/s.LAHAM Food Products Pvt. Ltd. for disposal of the waste water generated by the Slaughter house and extracts of the record maintained regarding disposal of waste water upto 10.01.2022 has been produced by the Project Proponent but record subsequent thereto has not been produced. The Project Proponent has submitted that 10 KLD ETP is under construction and the slaughter house is being modernized but no specific timelines have been given.	Name and location of the unit	Slaughter House Operated By Eluru Municipal Corporation, RS No.1707/3,10 th Division Madepalli road, Eluru.
	Production activity	Slaughtering of Goat/Sheep – 150 nos per day. The Eluru Municipal Corporation (EMC) modernized Butcher slaughter house to Semi mechanized slaughter house utilizing 15 th Finance Commission funds of Rs.1 Crore.
	Consent status	The Consent To Operation (CTO) of the Board validity upto 31.03.2024. Annexure-B.
	Effluent quantity	Process and washings – 3 KLD Domestic – 0.2 KLD
	Effluent treatment plant details	The Municipal Authorities of Eluru constructed Effluent Treatment Plant for treatment and disposal of slaughter house effluent. The ETP consists of unit operations: Collection tanks, Bar screen chambers – 1 Nos, oil & grease tank, equalization tank, aeration tanks- 1 & 2, sludge settling tank, sludge holding tank, multi-grade filters (carbon & sand) and treated effluent holding tank. The photographs are enclosed as Annexure-C. The EMC commissioned ETP on 01.12.2022. After stabilization of ETP, the APPCB, RO, Eluru collected outlet of ETP on 26.12.2022 and the parameters are meeting the standards. Annexure-D. Also, collected water samples on 09.03.2023 and the parameters are meeting the APPCB standards Annexure-E.

		As per analysis results, the Effluent Treatment Plant is adequate and meeting the prescribed standards.
	Disposal point of treated effluents	<p>The treated effluent is being utilized for onland for gardening within the premises of slaughter house. The slaughter house is having vacant land of 0.75 Ac. within the premises for development of greenbelt.</p> <ul style="list-style-type: none"> • Previously, the Eluru Municipal Corporation (EMC) was directed to send the effluents to effluent treatment plant of another slaughter house namely M/s. Laham food products Pvt. Ltd, through dedicated tankers till providing full-fledged ETP in their premises. The agreement dt: 10.03.2021 is valid upto 10.03.2023. The ETP of Municipal slaughter house commissioned on 01.12.2022. The EMC has transported effluents to ETP of M/s. Laham food products Pvt. Ltd for treatment and disposal upto 30.11.2022. The records pertaining to sending effluent from Eluru slaughter house are being filed separately by the Municipal Commissioner in the above matter. At present, the EMC stopped sending effluent from 01.12.2022. The waste water is being treated within existing ETP of slaughter house.
	Solid waste quantities & disposal details	<p>About 80 to 100 Kgs per day of dung is generated only as Solid Waste. The goat dung, stains of blood during peeling of skin and hides generated.</p> <p>The solid waste from slaughter house is being sent to compost yard located at Ponangi, Eluru. The compost is converted as manure and is being utilized for agriculture & horticulture purpose and greenery of Municipal Corporation limits.</p>
	General observations	There is no Cold Storage or preservation establishments within slaughter house premises with a view to business of frozen meat.
	Water and Air quality monitoring data	After commissioning of ETP by EMC, water samples were collected on 26.12.2022 & 09.03.2023 and analysed. The parameters are meeting APPCB standards.

The Hon'ble Tribunal, vide order dt: 23.03.2023 directed Respondent NO.2 to file reply within one month. The copy of Tribunal Order dt: 23.03.2023. **Annexure-F**

The APPCB has levied Environmental Compensation of Rs.2,04,000/- on Municipal Slaughter House and issued Show Cause Notice dt:24.04.2023 for operating the slaughter house 51 days without valid CTO of APPCB. **Annexure-G**

The status report is submitted in compliance to Hon'ble National Green Tribunal order dt. 03.03.2023 & 23.03.2023 in O.A No. 317/2022 (PB) for kind consideration.

Place: Eluru
Date: 27.04.2023


Environmental Engineer, APPCB,
Regional Office, Eluru.

Item No. 9

(Court No. 2)

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

Original Application No. 317/2022

Bachu Naga Venkateswara Rao & Ors. ...Applicants

Versus

State of Andhra Pradesh & Ors. ...Respondents

Date of hearing: 03.03.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Application is registered based on a letter petition received by Email.

ORDER

1. The grievances in the present letter petition are that the Eluru Municipal Corporation is running slaughter House in Town Survey No. 1707/3 in residential area of 9th Division, Madepalli Road, Bhimavaram Road Eluru, West Godavari District, Andhra Pradesh in violation of Hon'ble Supreme Court Order for relocation of slaughter houses located in close proximity to residential area.

2. Vide order dated 10.05.2022, this Tribunal constituted a Joint Committee comprising of CPCB, State PCB and Collector, West Godavari District and directed the same to submit factual and action taken report within two months.

3. In compliance thereof, the Joint Committee submitted reports dated 29.07.2022 and 31.10.2022.

4. The Municipal Corporation, Eluru filed status report and reply dated 15.11.2022 and 07.12.2022, respectively.

O. A. No. 317/2022

Bachu Naga Venkateswara Rao & Ors.
v. State of Andhra Pradesh

-2-

5. Mr. Shahid Shaik, Commissioner, Municipal Corporation, Eluru also appeared in person and we interacted with him.

6. Additional documents were filed by the applicant vide emails dated 10.11.2022 and 21.11.2022.

7. Arguments were heard and order was reserved but on going through the record, we were of the considered view that some aspects were not referred to at the time of arguments and require clarification.

8. Further, the CTO given by the ASPCB to the Project Proponent was valid upto 16.01.2023 which has already expired and present status regarding the same is required to be ascertained as to whether the Slaughter House is thereafter functional or not. The Project Proponent has entered into an agreement dated 10.03.2021 with M/s LAHAM Food Products Pvt. Ltd. for disposal of the waste water generated by the Slaughter House and extracts of the record maintained regarding disposal of waste water upto 10.01.2022 has been produced by the Project Proponent but record subsequent thereto has not been produced. The Project Proponent has submitted that 10 KLD ETP is under construction and the Slaughter House is being modernized but no specific timelines have been given.

9. List for further consideration on 23.03.2023.

10. The applicants/respondents be informed about the date of hearing fixed.

O. A. No. 317/2022

Bachu Naga Venkateswara Rao & Ors.
v. State of Andhra Pradesh

-3-

11. Respondent No. 5 be also directed to file an affidavit giving detailed information in respect of the aspects mentioned above.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

March 03, 2023
AVT



ANDHRA PRADESH POLLUTION CONTROL BOARD
ZONAL OFFICE :: VISAKHAPATNAM
 39-33-20/4/1, Madhavadhara Vuda Colony, Visakhapatnam - 530018.

Ph : 2719380

RED CATEGORY
CONSENT ORDER

Consent Order No: 3274/APPCB/ZO-VSP/ELR/CFO/2023**Date: 14.03.2023**

CONSENT is hereby granted for Operation under section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of Air (Prevention & Control of Pollution) Act 1981 and amendments thereof and the rules and orders made there under (hereinafter referred to as 'the Acts', 'the Rules') to:

M/s. Slaughter House by Eluru Municipality,
R.S.No.1767/3, 10th Division,
Madepalli Road, Eluru,
Eluru District.

(Hereinafter referred to as 'the Applicant') authorizing to operate the industrial plant to discharge the effluents from the outlets and the quantity of emissions per hour from the chimneys as detailed below:

i) Outlets for discharge of effluents:

Outlet No.	Outlet Description	Max Daily Discharge	Point of Disposal
1.	Process & washings	3.0 Kilo Liters/Day	After treatment in the ETP, the treated water shall be utilized for greenbelt development within the Slaughter House premises in an extent of 0.75 Acres.
2.	Domestic	0.2 Kilo Liters/Day	Septic tank

ii) Emissions from chimneys:

Chimney No.	Description of Chimney	Quantity of Emissions at peak flow (m ³ /hr)

This consent order is valid for the following products along with quantities indicated only:

S. No.	Product & By product	Capacity
01.	Slaughtering of Goat / Sheep	150 Nos./Day

This order is subject to the provisions of 'the Acts' and the Rules' and orders made thereunder and further subject to the terms and conditions incorporated in the schedule A & B enclosed to this order.

This consent order shall be valid for a period ending with the **31.03.2024**.

Rajendra Reddy
Thuraka
 Digitally signed by Rajendra Reddy Thuraka
 Date: 2023.03.14 17:43:59 +05'30'

JOINT CHIEF ENVIRONMENTAL ENGINEER

To
M/s. Slaughter House by Eluru Municipality,
R.S.No.1767/3, 10th Division,
Madepalli Road, Eluru,
Eluru District.

- Copy to Environmental Engineer, Regional Office, Eluru for information and necessary action to ensure compliance.

SCHEDULE-A

1. Any up-set condition in any industrial plant / activity of the slaughter house, which result in, increased effluent / emission discharge and/ or violation of standards stipulated in this order shall be informed to this Board, under intimation to the Collector and District Magistrate and take immediate action to bring down the discharge / emission below the limits.
2. The slaughter house should carryout analysis of waste water discharges and emissions through chimneys for the parameters mentioned in this order on quarterly basis and submit to the Board.
3. All the rules & regulations notified by Ministry of Law and Justice, Government of India regarding Public Liability Insurance Act, 1991 should be followed as applicable.
4. The slaughter house should put up two sign boards (6x4 ft. each) at publicly visible places at the main gate indicating the products, effluent discharge standards, air emission standards, hazardous waste quantities and validity of CFO and exhibit the CFO order at a prominent place in the factory premises.
5. Not withstanding anything contained in this consent order, the Board hereby reserves the right and powers to review / revoke any and/or all the conditions imposed herein above and to make such variations as deemed fit for the purpose of the Acts by the Board.
6. The applicant shall submit Environment statement in Form V before 30th September every year as per Rule No.14 of E(P) Rules, 1986 & amendments thereof.
7. The applicant should make applications through Online for renewal of Consent (under Water and Air Acts) and Authorization under HWM Rules at least 120 days before the date of expiry of this order, along with prescribed fee under Water and Air Acts and detailed compliance of CFO conditions for obtaining Consent & HW Authorization of the Board. The slaughter house should immediately submit the revised application for consent to this Board in the event of any change in the raw material used, processes employed, quantity of trade effluents & quantity of emissions. Any change in the management shall be informed to the Board. The person authorized should not let out the premises / lend / sell / transfer their industrial premises without obtaining prior permission of the State Pollution Control Board.
8. Any person aggrieved by an order made by the State Board under Section 25, Section 26, Section 27 of Water Act, 1974 or Section 21 of Air Act, 1981 may within thirty days from the date on which the order is communicated to him, prefer an appeal as per Andhra Pradesh Water Rules, 1976 and Air Rules 1982, to Appellate authority constituted under Section 28 of the Water(Prevention and Control of Pollution) Act, 1974 and Section 31 of the Air(Prevention and Control of Pollution) Act, 1981.

SCHEDULE-B**SPECIAL CONDITIONS:**

1. The slaughter house shall comply with the conditions stipulated in the revocation of closure order issued by the Board vide dt 03.08.2022.
2. The slaughter house shall comply with the recommendations of the joint committee inspection report 06.07.2022.
3. The slaughter house shall provide and maintain digital flow meters with totalizer facility at ETP inlet & outlet and at the discharge point where the effluent being utilized for onland irrigation and shall maintain records.
4. The slaughter House shall maintain records for water consumption and wastewater generation.
5. There shall not be any discharge of either treated or un-treated effluents outside the premises or into municipal drains.
6. The EMC shall ensure proper management of solid waste generated and maintain Records.
7. The EMC shall ensure strict compliance of CPCB guidelines for operation of slaughter houses and directions of the Board in safeguarding public health and environment in the surroundings.
8. This order is issued without prejudice to the rights and contentions of the Board in any Court of Law.

WATER POLLUTION:

9. The source of water being ground water / bore well. The following is the permitted water consumption:

S No.	Purpose	Quantity
1	Process & Washings	3.0 Kilo Liters/Day
2	Domestic	0.5 Kilo Liters/Day
	Total	3.5 Kilo Liters/Day

Separate meters with necessary pipe-line shall be maintained for assessing the quantity of water used for each of the purposes mentioned above.

10. The slaughter house shall comply the following effluent standards based on the disposal points permitted:

Outlet No.	Parameter	Concentration in mg/l
1	pH	5.5 - 9.0
	TSS	100.0 mg /l
	Oil & Grease	10.0 mg /l
	BOD(3 days at 27 ^o C)	100.0 mg /l
	COD	250.0 mg /l
	TDS	2100 mg /l

11. The slaughter house shall follow the CPCB "Guidelines for utilization of treated effluents in irrigation" for use of treated effluent in irrigation. The guidelines can be downloaded from CPCB website at the web link - <https://www.cpcb.nic.in/NGT/Guidelines-UTE-Irrigation.pdf>.
12. The effluent shall be treated to on land for irrigation standards, stipulated under Environment (Protection) Rules, 1986, notified and published by Ministry of Environment and Forests, Government of India as specified in schedule VI vide G.S.R.422 (E), dt.19.05.1993 and its amendments thereof, and additional standards / conditions stipulated by APPCB.
13. The operator shall ensure the slaughtering timings of 4:30 AM to 7:30 AM strictly at the slaughter house.
14. The municipal slaughter house shall dispose of effluents and solid waste on daily basis.
15. There shall be no odour nuisance to the surroundings due to operation of the slaughter house.
16. The slaughter house shall maintain digital flow meters with totalizer facility for measuring the actual quantity of water consumption and maintain log registers.
17. The slaughter house shall install and maintain a separate energy meter for the ETP and shall maintain log registers to record the energy meter readings pertaining to the operation of the ETP.

AIR POLLUTION:

18. The slaughter house shall ensure compliance of the National Ambient Air quality standards notified by MoE&F, GoI vide notification GSR 826(E), dt. 16.11.2009 at the boundary of the premises during regular operation.
19. The slaughter house shall comply with emission limits for DG sets of capacity upto 800 KW as per the Notification G.S.R.520 (E), dated 01.07.2003 and G.S.R.448(E), dated 12.07.2004 under the Environment (Protection) Act Rules. In case of DG sets of capacity more than 800 KW shall comply with emission limits as per the Notification G.S.R.489 (E), dated 09.07.2002 at serial no.96, under the Environment (Protection) Act, 1986.
20. The slaughter house shall take measures to comply with the provisions laid down under Noise pollution (Regulation and Control) Amendment Rules, 2010 dated 11.01.2010 issued by MoE&F, GoI to control the noise to the prescribed levels.

SOLID WASTE:

21. The solid wastes generated shall not exceed the following breakup quantities:

S. No	Solid Waste generation	Quantity	Method of Disposal
1.	Dung along with spleen water	100 Kgs/Day	Shall be Converted into compost at Ponangi Compost yard. The compost is being used as manure.

GENERAL:

22. The Municipality shall tie up with CBMWTF (*M/s. Safenviron, West Godavari District*) immediately for disposal of solid wastes generated from goat/sheep slaughtering.
23. The municipal slaughter house shall ensure strict compliance of Bio-medical Waste Rules, 2016 notified by MoEF & CC, GoI vide notification No. S.O.1357 (E), dt.08.04.2016.
24. The slaughter house shall take steps for proper management and safe disposal of solid waste.

25. The slaughter house shall process the slaughter waste and dispose immediately to avoid any smell nuisance. The slaughter house shall take all possible odour nuisance mitigative measures in the premises.
26. The slaughter house shall carryout regular wetting of the haul roads and the sheep forms to avoid fugitive emissions.
27. The slaughter house shall take measures for avoiding fly and bird nuisance with stray dogs waiving for the left over's which may pose great threat to the habitants.
28. The slaughter house shall adopt adequate means and tools for de-hiding or belting of the animals.
29. The slaughter house shall take measures for transportation of hides/skins in a closed conveyance system.
30. The slaughter house shall take all possible steps for immediate disposal of legs, horns, hoops etc., from the premises.
31. The slaughter house shall provide adequate facilities for hand wash, sterilization of tools and floor washings.
32. The slaughter house shall take all measures necessary to meet stipulated requirements such as positioning of stunning box, the bleeding area so that the other animals should not see the bleeding animal etc.,
33. The slaughter house shall take all necessary measures to maintain clean premises especially in the bleed and dressing section and meat cutting section as well.
34. The slaughter house should be maintained hygienically without affecting surrounding residential houses.
35. Compound wall shall be raised on all sides along the boundary at least to a height of 10 ft by Kirby sheets.
36. The slaughter house shall not transport the bones, stomach contents, offals, tissues, meat trimmings, condemned meat etc., outside the premises and should process in their rendering plant only.
37. The slaughter house shall strictly implement the guidelines prescribed by CPCB for comprehensive slaughter house document on slaughter house and meat processing units.
38. The slaughter house shall not cause any water/air pollution to the surrounding environment.
39. The slaughter house shall maintain the following records and the same shall be made available to the inspecting officers of the Board:
 - a. Daily production details.
 - b. Quantity of Effluents generated, treated, recycled/reused and disposed.
 - c. Log Books for pollution control systems.
 - d. Characteristics of effluents and emissions.
 - e. Hazardous/non hazardous solid waste generated and disposed.
 - f. Inspection book.
 - g. Manifest copies of effluents / hazardous waste.
40. The slaughter house shall develop green belt in all the vacant places of 33% of the total area.
41. The slaughter house shall maintain good housekeeping within the premises.
42. The slaughter house shall submit a compliance report on CFO conditions for every 6 months as on 01st January and 01st July of every year at Regional Office and Zonal Office.
43. The slaughter house shall comply with Hon'ble Court orders issued from time to time.

Rajendra

Reddy Thuraka

JOINT CHIEF ENVIRONMENTAL ENGINEER

Digitally signed by Rajendra

Reddy Thuraka

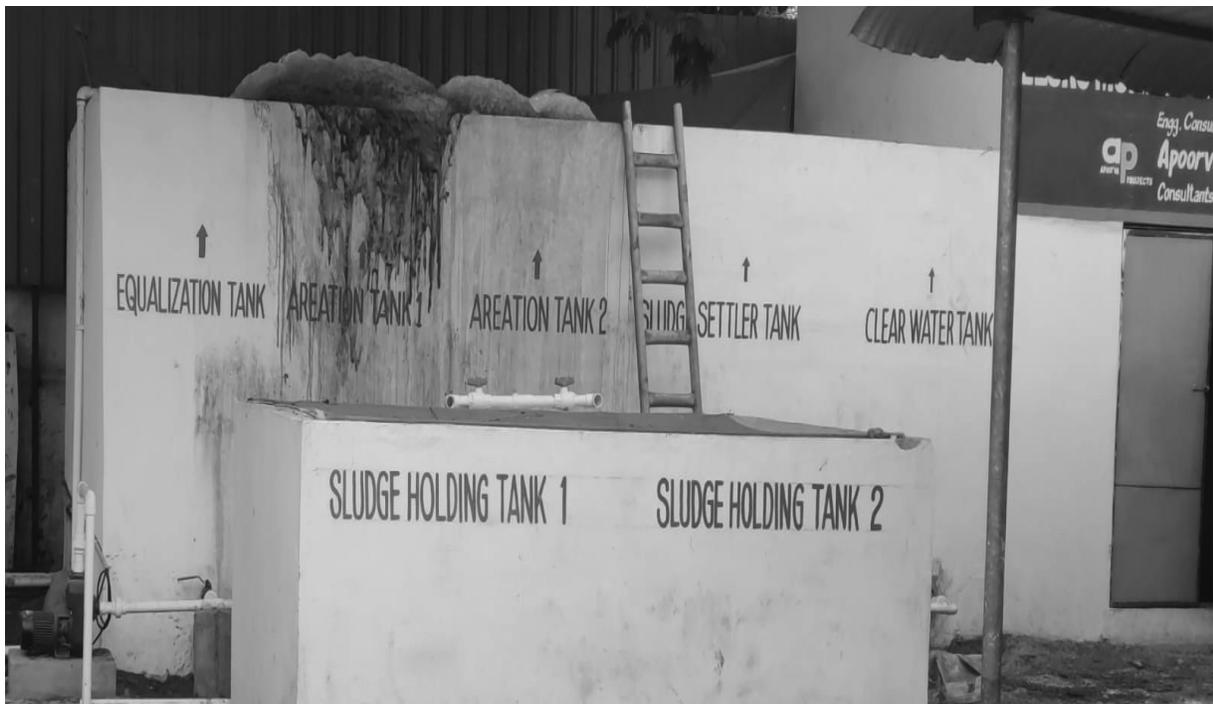
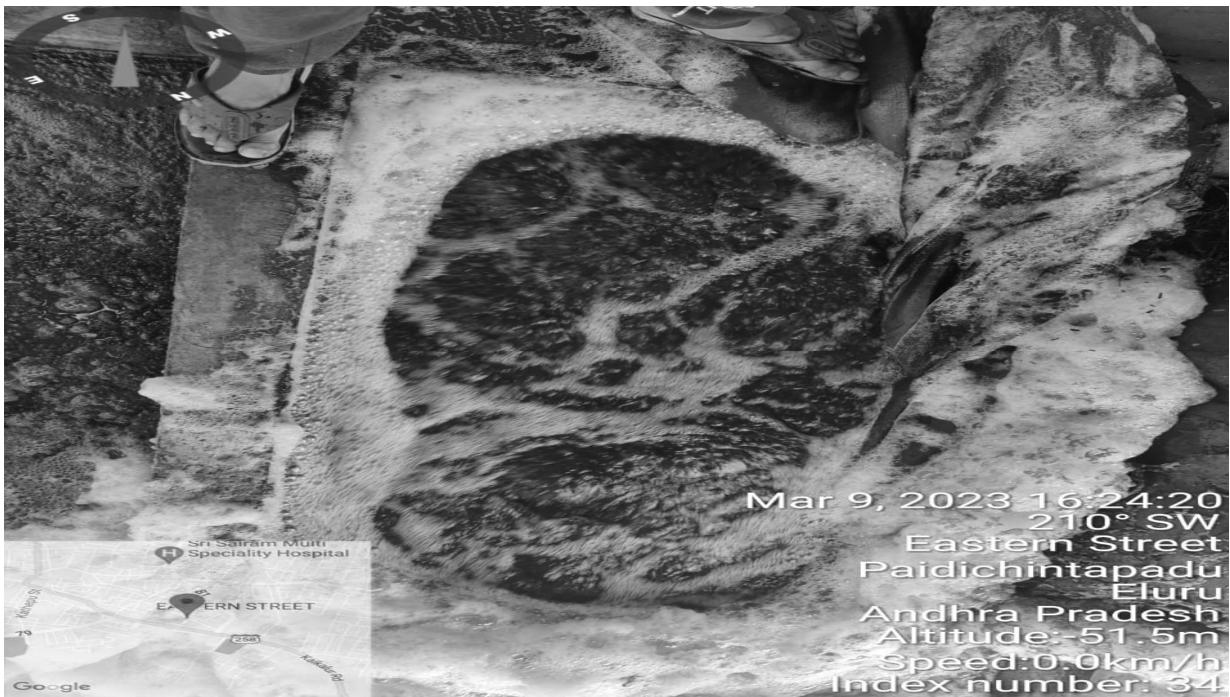
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To
M/s. Slaughter House by Eluru Municipality,
R.S.No.1767/3, 10th Division,
Madepalli Road, Eluru,
Eluru District.

ETP Photographs of M/s. Slaughter House By Eluru Municipality, R.S.No.1767/3,
10th Division, Madepalli Road, Eluru, Eluru District

ETP Plant of capacity: 10 KLD





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ANDHRA PRADESH POLLUTION CONTROL BOARD
ZONAL LABORATORY :: VISAKHAPATNAM

D.No.39-33-20/1/4, Madhavadhara VUDA Colony, Visakhapatnam - 530018

M.RAVI, M.Sc.,
SENIOR ENVIRONMENTAL SCIENTIST

Ph : 0891-2719/380/481
e-mail: zovsplab-ses2@ appcb.gov.in

ANALYSIS REPORT

Sample No. : 2022 - 12 - E - 289 & 290

Sample location/Address : M/s Slaughter House,
Eluru Municipality,
R.S.No.1767/3, 10th Divison,
Madepalli Road, Eluru,
Eluru District.

Sample Source : E-289: ETP Inlet
E-290: ETP Outlet

Sample collected on : 26.12.2022

Sample received on : 27.12.2022

Sample collected by : Environmental Engineer, Regional Office, Eluru

Report issued on : 02.01.2023

S.No.	Parameter	E-289	E-290
1.	pH	7.85	7.72
2.	Total Suspended Solids	640	23
3.	Total Dissolved Solids	4820	1860
4.	Chemical Oxygen Demand	1448	108
5.	Biochemical Oxygen Demand	520	24

Note: - 1. All values are expressed in mg/l except pH
2. Results are related to sample tested


SENIOR ENVIRONMENTAL SCIENTIST



ANDHRA PRADESH POLLUTION CONTROL BOARD
ZONAL LABORATORY :: VISAKHAPATNAM

D.No.39-33-20/1/4, Madhavadhara VUDA Colony, Visakhapatnam - 530018

M.RAVI, M.Sc.,
SENIOR ENVIRONMENTAL SCIENTIST

Ph : 0891-2719/380/481
e-mail: zovsplab-ses2@ appcb.gov.in

ANALYSIS REPORT

Sample No. : 2023 - 03 - E - 085 & 086

Sample location/Address : M/s Slaughter House,
Eluru Municipality,
R.S.No.1767/3, 10th Division,
Madepalli Road, Eluru,
Eluru District.

Sample Source : E-085: ETP Inlet
E-086: ETP Outlet

Sample collected on : 09.03.2023

Sample received on : 10.03.2023

Sample collected by : Environmental Engineer, Regional Office, Eluru

Report issued on : 14.03.2023

S.No.	Parameter	E-085	E-086
1.	pH	7.07	7.85
2.	Total Suspended Solids	582	37
3.	Total Dissolved Solids	3460	2080
4.	Chemical Oxygen Demand	1696	124
5.	Biochemical Oxygen Demand	580	26

Note: - 1. All values are expressed in mg/l except pH
2. Results are related to sample tested


SENIOR ENVIRONMENTAL SCIENTIST

Item No. 1

(Court No. 2)

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

Original Application No. 317/2022

Bachu Naga Venkateswara Rao & Ors.

...Applicants

Versus

State of Andhra Pradesh & Ors.

...Respondents

Date of hearing: 23.03.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: None.

Respondent: Mr. T.V.S. Raghavendra Sreyas, Advocate for APPCB(through VC).

Application is registered based on a letter petition received by Email.

ORDER

1. The grievances in the present letter petition are that the Eluru Municipal Corporation is running slaughter House in Town Survey No. 1707/3 in residential area of 9th Division, Madepalli Road, Bhimavaram Road Eluru, West Goadavari District, Andhra Pradesh in violation of Hon'ble Supreme Court Order for relocation of slaughter houses located in close proximity to residential area.

2. Vide order dated 10.05.2022, this Tribunal constituted a Joint Committee with direction to submit factual and action taken report. In compliance thereof, the Joint Committee submitted reports dated 29.07.2022 and 31.10.2022.

O. A. No. 317/2022

Bachu Naga Venkateswara Rao & Ors.
v. State of Andhra Pradesh

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3. The Municipal Corporation, Eluru filed status report and reply dated 15.11.2022 and 07.12.2022, respectively. Additional documents were filed by the applicant vide emails dated 10.11.2022 and 21.11.2022.
4. Arguments were heard and order was reserved but vide order dated 03.03.2023 the matter was relisted for further hearing and the applicants/respondents be informed about the date of hearing fixed.
5. Status Report by Eluru Municipal Corporation, Andhra Pradesh has been filed vide email dated 16.03.2023.
6. None has appeared on behalf of the applicant and respondents no. 1, 3, 4 and 5 today.
7. Mr. TVS Raghavendra Sreyas, learned Counsel for the respondent no. 2-APPCB seeks time to file reply.
8. Reply by respondent no. 2-APPCB be filed within one month by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.
9. List for further consideration on 15.05.2023.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

March 23, 2023
AG

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ANDHRA PRADESH POLLUTION CONTROL BOARD

Paryavaran Bhavan, Head Office, APIIC Colony Road,
Gurunanak Colony, Vijayawada -520007.

Website: <https://pcb.ap.gov.in>

SCN No. 594/APPCB/HO/ECS/ELR/2019-

24/04/2023

SHOW CAUSE NOTICE

Sub :	APPCB – ECS - NGT (PB) – M/s.Eluru Municipal Corporation (EMC), 10 th Division, Madepalli Road, Eluru - O.A.No.317 of 2022 filed in Hon'ble NGT (PB) – Operating the Slaughter House without obtaining valid consents of the Board - Levy of Environment Compensation - Show Cause Notice - Issued – Reg.
Ref:	1. CFO order dated 14.03.2023 valid up to 31.03.2024. 2. Hon'ble NGT Order dt: 23.03.2023 in OA.No.317 of 2022. 3. RO, Eluru report dated 11.04.2023.

* * *

WHEREAS, you are operating the Municipal Slaughter house in Town Survey No.1707/3 in municipal corporation area of Eluru located at 10th Ward, Madepalli, Bhimavaram Road, Eluru.

WHEREAS, the Board issued CFO to the slaughter house on 10.03.2022 valid up to 31.03.2022 which was extended up to 16.01.2023. The slaughter House was issued latest CFO order 14.03.2023 valid up to 31.03.2024.

WHEREAS, the Board earlier issued closure order to the Eluru Municipal Slaughter house on 03.05.2019 for operating without valid CFO of the Board and non-compliance of the Board directions / conditions.

WHEREAS, the Board on 17.07.2019 issued temporary revocation of closure order for a period of 6 months, which was extended from time to time and the last extension issued on 21.09.2021 was valid up to 31.03.2022 with 10 conditions. Further, the Board again issued revocation of closure orders on 03.08.2022.

WHEREAS, the Original Application (O.A.) No.317 of 2022(PB) has been registered in Hon'ble National Green Tribunal (NGT), New Delhi based on email sent by Sri. Bachu Naga Venkateswara Rao & Ors.

WHEREAS, the Hon'ble NGT in its order dt.10.05.2022 constituted a Joint Committee comprising of CPCB, State PCB and Collector, Eluru and directed to verify the factual position, look into the grievances of the applicants and take remedial action in accordance with law by following due process. The Joint Committee met on 06.07.2022 and visited the Slaughter house operated by Eluru Municipal Corporation. The report dt.29.07.2022 of the joint committee was filed before Hon'ble Tribunal.

WHEREAS, the Hon'ble NGT (PB) heard the matter on 04.08.2022 and directed the Board to file further report with details regarding compliance with directions given by Hon'ble Supreme Court vide order dated 23.08.2012 in W.P. (Civil) No.309/2003. APPCB filed status report on 29.10.2022 before Tribunal in the matter.

WHEREAS, the matter was heard on 23.03.2023 and listed for hearing on 15.05.2023.

WHEREAS, the EE, RO, Eluru estimated environmental compensation of Rs.2,04,000/- for the violation period (period for which not having valid consent) payable by Municipal Slaughter house.

WHEREAS, the EE, RO, ELURU vide ref. 3rd cited cited, forwarded report to Levy Env. Compensation for no.of operational days i.e., the number of days for which violation took place is considered as the period between the date of violation observed and date of compliance verified by the CPCB/ APPCB. From the available records, it is observed that APPCB has issued notice to the Eluru Municipal Slaughter House on 18.01.2023 for operating the Slaughter House without valid CTO of the Board and CTO was expired on 16.01.2023. The Eluru Municipal Corporation has applied for CTO renewal of the Board on 09.03.2023. Based on the criteria, it was considered for calculation the period of violation for estimating EC is 51 days (18.01.2023 to 09.03.2023 i.e., 51 Days). The Environmental Compensation payable is calculated based on CPCB methodology as below:

Thus EC = $PI \times N \times R \times S \times LF$

Where,

EC is Environmental Compensation in ₹
 PI = Pollution Index of industrial sector
 N = Number of days of violation took place
 R = A factor in Rupees (₹) for EC
 S = Factor for scale of operation
 LF = Location factor

Pollution Index (PI)	Number of days of working under violation (N)	A Factor in Rupees (R)	Factor of Scale of Operation (S)	Location Factor (LF)	Environmental Compensation (Rs.)
80	51	100	0.5	1	2,04,000/-

In view of above, you are hereby directed to show cause as to why the Board shall not levy environmental compensation for Rs.2,04,000/- (Rupees Two Lakh Four Thousand rupees only) on occupier of Municipal Slaughter house in operation at 10 th Division, Madepalli Road, Eluru.

Further, you are directed to furnish your reply to the Show Cause Notice within 15 days from the date of issue of this notice, failing which necessary orders will be passed on levying aforesaid environmental compensation on occupier of Municipal Slaughter house in operation at 10 th Division, Madepalli Road, Eluru. under section 33(A) of Water (Prevention & Control of Pollution) 1974 and under section 31(A) of Air (Prevention & Control of Pollution) Amendment Act, without any further notice.

B Sreedhar Ias

MEMBER SECRETARY

To
The Municipal Commissioner,
Eluru Municipal Corporation (EMC),
Municipal Slaughter house
10th Division, Madepalli Road, Eluru.

Copy to:

1. The Joint Chief Environmental Engineer, Zonal Office, Visakhapatnam for information and necessary action.
2. The Environmental Engineer, Regional Office, Eluru for information and necessary action.