

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 431 OF 2021

IN THE MATTER OF:

Suresh Kumar & Anr.

..Applicant

Versus

State of Haryana

...Respondent

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Dated: 16.01.2023
Place : Kaithal


Regional Officer
HSPCB, Kaithal Region

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**Status report by Regional Officer, Haryana State Pollution Control Board,
Kaithal Region in OA 431/2021 titled as Suresh Kumar & Anr. Vs State of
Haryana.**

1. That above said matter was heard by this Hon'ble Tribunal on 16.12.2022 and the Haryana State Pollution Control Board, was directed to file its response to averments made by Project Proponent in his reply dated 16.12.2022. The relevant part of the above said order is reproduced here as under:-

" In view of the averment made by the Project Proponent in the reply, the HSPCB is directed to undertake visit to the Hatechery, if so considered, necessary, verify the factual position regarding compliance with the environment norms and revisit the closure order on the basis thereof and file its reply/response alongwith action taken report within three weeks 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"

Copy of order dated 16.12.2022 is attached as Annexure R-1.

2. That the above said poultry farm submitted the compliance of observations of closure direction dated 12.09.2022 issued by Environment Department, Chandigarh on 20.10.2022 in Regional Office, Kaithal. In order to check the compliances made by the Poultry Farm a letter dated 11.11.2022 was sent to the members of the team already constituted by Deputy Commissioner, Jind vide letter no. 463 dated 05.04.2022 in compliance of Hon'ble NGT order dated 24.02.2022 and 26.03.2022.

3. The said poultry farm was inspected on 24.11.2022 by the team of following members:

- i. Sh. Vipin Kumar, Assistant Environment Engineer, HSPCB, Jind
- ii. Dr. Robin Singh, Veterinary Surgeon, Jind
- iii. Sh. Vikash Chahal, Patwari, Jind

4. The said Poultry farm was found complying with the directions issued by Environment Department, Govt. of Haryana vide letter dated 29.05.2013 and latest guidelines issued by the CPCB in January, 2022 regarding poultry farms as mentioned below:

A. The unit was found handling and disposing their manure as per norms i.e :

Excreta is scratched at least once in two days as needed for mixing of litter and to keep bedding material (rice husk, saw dust, wood shavings etc.) dry in case of deep litter houses of the waste material. This waste is utilised for composting after completion of the cycle.

B. The unit was found composting their manure as per norms

i) The activity for Proper mixing the waste with a carbon rich material (e.g., paddy straw / husk, wood shavings) in the pits is being carried out by unit to maintained Carbon to nitrogen ratios of 20-25:1 usually recommended ingredients is carried out by the unit as Pure manure is being composted following the procedure and monitoring all parameters. Unit has provided composting facilities.

ii). The unit has provided Periodic stirring facility for compost material being done for its proper mixing

iii). The Moisture levels is being maintained between 35 to 50% in manure.

iv). The Temperature monitoring is being done to determine composting conditions.

C. The unit has provided the composting facility as per norms

i). There is no dwelling facility within 300 m and no well/water course within 100 m of unit.

ii). Unit has provided the composting facility of capacity sufficient to handle the average mortalities on the farm.

iii). The unit has provided the permanent roof of the composting facility with concrete bottom. The composting facility is secured with link mesh all around raised to a height of 1.5 m above the ground level to avoid the predation by straw dogs etc.

iv). Unit has provided facility for proper mixture of smaller and larger particle sizes to obtain an optimum air exchange within the mixture and build-up of temperature.

- v). Moisture content for the composting pile approximately 60% is being maintained.
- vi). The carbon-to-nitrogen ratio is being maintained in the range of 20:1 and 25:1 for proper composting as Carbon and nitrogen are vital nutrients for the growth and reproduction of bacteria and fungi.
- vii). Unit is maintaining the optimum temperature for composting from 54 to 66oC which pasteurizes the compost.

D. The unit submitted the copy of Fard Jamabandi for the year 2015-18 mentioning that the unit is existing with effect from 2011 and the details of loan on the above said unit is mentioned on the land details relates to this unit. The siting criteria regarding the poultry farms were issued by Env. Depart. Haryana vide letter dt. 29.05.2013. Whereas the unit established before 2013, In view of above the siting parameters are not applicable on the said unit.

During the visit of team on 24.11.2022 no activity mentioned in the complaint i.e. the violation of environmental norms and damaging of agriculture land as well as damage of crop due to high speed fan, no spreading of dust and feathers and foul smell was found at site. The unit has provided covered area (through jali structure to prevent dust and feather spreading towards complainant's Fields on 02 Nos. of poultry sheds). Unit has provided multi cyclone to control emission from feed mill and provided proper composting facility within their premises as per norms. Copy of inspection report is attached as **Annexure- R2**.

4. That since the said poultry farm was found complying with the guidelines issued by CPCB therefore case for suspension of closure direction was sent to Head Office, Haryana State Pollution Control Board, Panchkula vide letter no. 3370 dated 23.12.2022. The case for suspension of Closure Direction has been sent by Head Office Panchkula to Environment Department on 02.01.2023. A copy of same is attached as **Annexure R-3**.

5. That HSPCB will comply with all the directions issued by this Hon'ble Tribunal in the said matter.

Dated: 16/01/2023


Regional Officer,
HSPCB, Kaithal Region.

Annexure-R1

Item No. 3

(Court No. 2)

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

(Through Physical Hearing with Hybrid VC Option)

Original Application No. 431/2021

Suresh Kumar & Anr.

Applicant

Versus

State of Haryana

Respondent

Date of hearing: 16.12.2022

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

Applicant: None.

Respondents: Mr. Rahul Khurana, Advocate for HSPCB.
Mr. Vipin Kumar, AEE, HSPCB.
Mr. Roopansu Purohit, Advocate for the Project
Proponent- Sehawag Research & Breeding Farm.

Application is registered based on a complaint received by Post

ORDER

1. Grievances in the application are regarding pollution and adverse effect on the bio-diversity as well as on the agricultural land due to Hatchery (Hens Hatching/poultry Farm) run in violation of the environmental norms.
2. Vide order dated 27.01.2022, this Tribunal constituted a Joint Committee comprising of the State PCB, Veterinary and Animal Husbandry Department, and District Magistrate, Jind, (Haryana) and directed the same to submit Factual and Action Taken Report within two months.
3. In compliance thereof, the Regional Officer, Kaithal Region has submitted report of the Joint Committee vide letter/email dated 15.09.2022.

4. Vide order dated 16.09.2022, notice was ordered to be issued to the Project Proponent- M/s Sehawag Research & Breeding Farm.

5. Pursuant to service of notice, reply dated 16.11.2022 has been filed by the Project Proponent vide email dated 17.11.2022. In the reply, the Project Proponent has made detailed averments regarding compliance with the environmental norms and has also attached documents in support thereof.

6. In view of the averments made by the Project Proponent in the reply, the HSPCB is directed to undertake visit to the Hatchery, if so considered, necessary, verify the factual position regarding compliance with the environmental norms and revisit the closure order on the basis thereof and file its reply/response alongwith action taken report within three weeks 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.

7. List for further consideration on 18.01.2023.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

December 16, 2022
AG



Regional Office
Haryana State Pollution Control Board,
 SCO 161 - P, 162, 163 SECOND FLOOR SECTOR 20, HUDA KAITHAL
Email-hspcbrokai@gmail.com



No. HSPCB/KAI/2022/

Dated:

Inspection Performa for Poultry Farm

1. Name and Address of the Unit: *Sehwag Research and Breeding farm
Manoharpur, Jind*
2. Date of Inspection: *24/11/2022*
3. Date of Establishment: *2008 (As infamally unit)*
4. Name of the unit Prop./Directors/Partners: *Sh. Parmod Sehwag*
5. E-mail ID and Contact No.: *- 92156-56800*
6. Latitude and Longitude: *Lat - 29.365967, long - 76.369336 M F*
7. Total no. of birds: *- 16268 Bords.*

1st	-	449+3926	=	4375-
2nd	-	330+3870	=	4200
3rd	-	605+5165	=	5770
4th	-	163+1760	=	1923
8. Total no. of Sheds: *- 5 No. of Sheds 1. No hatching facility*
9. Whether covered under Consent Management?: *- n/a*
Hatching facility - 20000 No/day/Per Batch

Compliance status of directions issued by CPCB, Jan., 2022 & HSPCB vide letter I/96677/2022 dated 15.02.2022.

Sr. No.	Directions Jan., 2022 regarding Environmental Guidelines for Poultry Farms	Compliance status
6.1	Gaseous emission (NH₃ & H₂S) and Feed Mill Dust	
	<i>Minimization of odour/gaseous pollution</i>	
(i)	Proper ventilation and free flow of air over manure collection points to keep it dry shall be ensured.	<i>- Yes.</i>
(ii)	Manure should be protected from Run-off water and from unwanted pests/insects.	<i>- Yes</i>
(iii)	Well-designed storage facilities should be provided to contain manure /litter.	<i>- Yes</i>
(iv)	Carcasses of dead birds shall be promptly collected on regular basis and disposed appropriately without damaging the environment as per the prescribed methods under section 6.2 (iii) of the guidelines	<i>- Yes. Deep Burial Pit Provided</i>
	<i>Dust from Feed Mills</i>	
(i)	Feed mill and Go-down should be located on a well elevated ground preferably near the entrance of the farm and isolated from other poultry sheds.	<i>- Yes.</i>
(ii)	Dust collector system should be installed to control emissions from mixing and grinding section of the feed mill.	<i>- Yes. M cyclone and Air filter Under Provided also</i>
(iii)	Workers in the feed mill shall be provided with dust masks to protect them from dust.	<i>- Yes</i>
(iv)	Provision for vehicle tyre dip shall be made at the entrance to remove impurities/dust carried by vehicle tyres;	<i>- Yes</i>
(v)	Floor of the feed mill and Go-down shall be concrete and raised above the ground level by a minimum of 2 feet.	<i>- Yes</i>

	Management of solid wastes (Solid Wastes contains Manure/litter, Hatchery Debris and Dead Birds)													
	Manure handling and disposal													
(i)	Proper ventilation and free flow of air over manure collection points to keep it dry (by blowing dry air over it or by conveying ventilation air through the manure pit) shall be ensured to prevent obnoxious odour in the area.	- Yes Blowers has been Provided shed wise												
(ii)	Poultry housing shall be ventilated allowing sufficient supply of fresh air to remove humidity, dissipate heat and prevent build-up of gases such as methane, carbon dioxide, ammonia, etc.	- Yes												
(iii)	Excreta shall be scratched at least once in two days as needed for mixing of litter and to keep bedding material (rice husk, saw dust, wood shavings etc.) dry in case of deep litter houses the waste material. This waste shall be utilised for composting after completion of the cycle.	- Yes facility provide												
(iv)	<p>Manure collected under cages on high raised platforms shall be stored for further processing and utilized by using following options:</p> <table border="1"> <thead> <tr> <th>Sl. No.</th> <th>Poultry Farms</th> <th>Methods for Disposal/Utilization of manure</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Small Poultry Farms</td> <td><input checked="" type="checkbox"/> Composting</td> </tr> <tr> <td>2.</td> <td>Medium & Large Poultry Farms</td> <td> <input type="checkbox"/> Composting or Biogas production for disposal/utilization of manure/litter <input type="checkbox"/> Combination of any of the methods for disposal/utilization of manure/litter </td> </tr> <tr> <td>3.</td> <td>Poultry Farms in Cluster</td> <td><input type="checkbox"/> Common facilities for Biogas production or Composting or their combination</td> </tr> </tbody> </table>	Sl. No.	Poultry Farms	Methods for Disposal/Utilization of manure	1.	Small Poultry Farms	<input checked="" type="checkbox"/> Composting	2.	Medium & Large Poultry Farms	<input type="checkbox"/> Composting or Biogas production for disposal/utilization of manure/litter <input type="checkbox"/> Combination of any of the methods for disposal/utilization of manure/litter	3.	Poultry Farms in Cluster	<input type="checkbox"/> Common facilities for Biogas production or Composting or their combination	<p>Provided</p> <p>AS Unit is having Bird less than - 25000-</p> <p>- NA</p> <p>- NA</p>
Sl. No.	Poultry Farms	Methods for Disposal/Utilization of manure												
1.	Small Poultry Farms	<input checked="" type="checkbox"/> Composting												
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3.	Poultry Farms in Cluster	<input type="checkbox"/> Common facilities for Biogas production or Composting or their combination												
(v)	Land application of manure to the nutritional requirements of soil and crop shall be balanced	- NA												
(vi)	The litter / manure storage facilities shall be minimum 2 m above the water table and of adequate size based on type and number of birds handled. Its base should be constructed with stone slabs or concrete or impermeable compacted clay.	- Yes												
(vii)	Manure shall be protected from run off water and cover it to avoid dust and odours in storage pits. The dry manure dump shall be covered with permanent roof or with plastic / similar material to prevent air emissions and the precipitation falling on it.	- Yes Collection pit with Cover provided - 2. Nos												
(viii)	Mortalities on farm by proper animal care and disease prevention program shall be reduced.	- Yes												
(ix)	Proper facilities (Burial Pit/Composting/Incineration) shall be provided for Collection, storage, transport and disposal of dead birds	Deep Burial Provided												
(x)	Domestic hazardous wastes (vaccines, vials, medicines, syringes, etc.) shall be disposed as per provisions of "Solid Waste Management Rules, 2016".	- Yes												

[Handwritten signatures and notes]

[Signature]

[Signature]

Composting of Manure:		
(i)	Proper mixing the waste with a carbon rich material (e.g., paddy straw / husk, wood shavings) should be done in the pits. Carbon to nitrogen ratios of 20-25:1 is usually recommended. Pure manure can also be composted following the procedure and monitoring all parameters. The composting facilities may be designed through expert institutions in the field as per the size of poultry farms	- Yes.
(ii)	Periodic stirring of compost material should be done for its proper mixing.	- Yes
(iii)	Moisture levels should be maintained between 35 to 50%.	- Yes
(iv)	Temperature monitoring should be done to determine composting conditions	- Yes
Hatchery Waste		
(i)	Efforts shall be made in converting the shells to animal feed to supply as a source of calcium, especially for poultry feeds	- Yes
(ii)	Extrusion with soya bean meal can be used to make a shell/hatchery meal.	- Yes
(iii)	Un-hatched eggs shall be disposed of by composting or rendering.	- Yes (Render)
Dead Birds Disposal		
Burial Method:		
(i)	The dead birds arising from day to day farm activity should be separated from other live birds promptly and should be stored in closed containers \ disposed off within 24 hours	Yes Deep Burial facility provided
(ii)	The dead bird burial pit shall be of minimum 3 to 4 m in depth and 0.8 to 1.2 m diameter and this size may vary as per the capacity of poultry farm and shall be located above minimum 3 m from the ground water table	- Yes
(iii)	The dead bird burial pit shall be provided with a vermin/fly proof cover made up of wooden / metal / concrete having a central operable lid of proper size for day to day dropping of carcasses.	- Yes
(iv)	Carcasses shall be covered by a thin layer of soil (at least 40 cm deep) along with calcium hydroxide.	- Yes
(v)	When the pit is full, a compacted soil cover of 0.5 m shall be provided with the top of the covered soil well above the ground level.	- Yes
(vi)	The distance between any two burial pits should not be less than 1 m.	- Yes
Composting		
(i)	The composting facility shall not be located within 300 m from the nearest dwelling and 100 m from any well or water course.	- Yes No water course or dwelling
(ii)	The capacity of the composting facility shall be sufficient to handle the average mortalities on the farm.	- Yes Signature Date

112	(iii) The roof of the composting facility shall be permanent with concrete bottom. The composting facility shall be secured with link mesh all around raised to a height of 1.5 m above the ground level to avoid the predation by straw dogs etc.	-Yes
	(iv) A proper mixture of smaller and larger particle sizes to obtain an optimum air exchange within the mixture and build-up of temperature.	Yes
	(v) Moisture content of the composting pile shall be approximately 60%. More than this may result in odour problems and less than this will reduce the efficiency of the composting process.	Yes
	(vi) Carbon and nitrogen are vital nutrients for the growth and reproduction of bacteria and fungi. The carbon-to-nitrogen ratio shall be in the range of 20:1 and 25:1 for proper composting. This is obtained by carefully balancing the dead bird and carbon sources.	Yes
	(vii) The optimum temperature for composting is 54 to 66°C which pasteurizes the compost. If temperature falls below 49°C after a week or so, the material should be moved to the secondary stage unit. To facilitate the easy transfer of the first stage material to the secondary stage, the proper designing of the primary stage (first stage) facility is desirable as illustrated in figure 5.5. Failure to do so will result into poor compost. The temperature in the secondary stage unit will begin to raise as beneficial bacterial activity begins and will peak in 5 to 10 days.	Yes
6.3	Waste water Management	
(i)	The waste water generated from the cleaning operations (after each batch removal) shall be collected in appropriate holding tank and put to use in the green belt. Efforts may be made for dry cleaning of the sheds with use of disinfectant so as to avoid use of water.	-Yes
(ii)	Water use and spills from drinking devices shall be reduced by preventing overflow or leakages and using calibrated, well-maintained self-watering devices;	-Yes
(iii)	Improve drainage, reduce standing water and water ditches to control mosquitoes and flies	-Yes
(iv)	Use of pressure pumps, hot water or steam in cleaning activities instead of cold water and plain water scrubs may be encouraged to improve sanitation and reduce the quantities of wash water.	-Yes
6.4	Other issues	
(i)	<i>Control of Flies:</i> Proper treatment and disposal of manure, ventilation of sheds, control of temperature, good sanitation, swift repairs of leaks, avoidance of feed spills, prompt removal of broken eggs and dead birds shall be ensured for control of flies in the poultry farms. The farm should have provisions of wire nettings, traps, fly-repellents, insecticides etc.	-Yes
(ii)	<i>Control of Rodents:</i> Methods for the control of rodents may include: i) Exclusion ii) Trapping Glue boards iii) Tracking powder iv) rodent proof doors and windows to eliminate rodents/pest infestation.	-Yes
(iii)	As per Bureau of Indian Standards 1374: 2007, on poultry feed specifies that the use of antibiotic growth promoters is not recommended in poultry feed, hence use of antibiotics should not be mixed with feed or administered for non-therapeutic purposes without prescription for diseased birds. Regulation for use of antibiotics shall be regulated as per the advisory/directions issued by Department of Animal Husbandry, Dairying and Fisheries and Ministry of Health and the Drug Controller General of India.	-Yes
7	Siting Criteria	
(i)	500 m from residential zone in order to avoid nuisance caused due to odour & flies	-Yes
(ii)	100 m from major water course like River, Lakes, canals and drinking water source like wells, summer storage tanks, in order to avoid contamination due to leakages/spillages, if any.	-Yes
(iii)	100 m from national Highway (NH) and 50 m from State Highway (SH) in order to avoid nuisance caused due to odour & flies.	-Yes
(iv)	10-15 m from rural roads/internal roads/village pagdandis	NO
(v)	The Poultry sheds should not be located within 10 m from farm boundary for cross ventilation and odour dispersion	NO

1. The Unit has provided the copy of feed mentioning existence of hatchery till 2011.
 2. Unit has provided covered Area (Trough Jali structure) to prevent the dust and waste toward the complainant field. and No activity of separation of dust and waste was observed in field. (Site Photograph attached)

By *[Signature]*
 Date

[Signature]
 10/11/2018

HARYANA STATE POLLUTION CONTROL BOARD
C-11 Sector-6, Panchkula
Ph - 0172- 577870-73, Fax No. 2581201
E-mail- hspcbho@gmail.com
Website: hspcb.gov.in

Date: 02/01/2023

To

The Special Secretary to Govt. of Haryana,
Environment and Climate Change Department,
Haryana, Chandigarh.

Sub: Direction under section 5 of the EP Act to regulate the activity of the poultry farm and with direction to stop the farming activity regarding - M/s Sehwaq Research & Breeding Farm, Manoharpur, Jind.

Kindly refer to the subject noted above.

In this connection, it is intimated that the closure direction under section 5 of the Environment (Protection) Act, 1986 had been issued against M/s Sehwaq Research & Breeding Farm, Manoharpur, Jind vide Endst.No. 16/23/2019-3 ENV dt 12.09.2022 for operating without obtaining prior Environmental Clearance in violation of the provisions of EIA Notification 2006.

Hon'ble National Green Tribunal (NGT) directed to constitute a joint committee of HSPCB, Veterinary & Animal Husbandry Department and District Magistrate, Jind. As per directions, DC Jind has constituted a team. The team visited the site on 13.04.2022 and during inspection, some deficiencies were observed:-

1. The unit was not complying with the directions issued by the Env. Deptt., Govt. of Haryana vide letter dated 29.05.2013 regarding poultry farms.
2. The unit was not handling and disposing their manure as per norms.
3. The unit was not composting their manure as per norms.
4. The unit has not provided composting facility as per norms.
5. The unit was not meeting the siting criteria as per norms

Accordingly this office has issued the SCN under EP Act, 1986 vide letter No. 207 dt. 18.04.2022. In reference to the SCN, the unit

114 W/147675/2023

submitted their reply on 04.05.2022.

Thereafter, closure order was implemented on 15.09.2022 and compliance report received Head Office vide letter no. 2373 dated 15.09.2022.

The compliance was checked on 24.11.2022 by the team constituted by the Deputy Commissioner, Jind (Copy of Spot Inspection report is attached).

The unit has submitted performance security amounting to Rs. 25,000/- vide DD no. 273885 dated 09.12.2022.

In view of above, I have been directed to request your good self to suspend the closure direction against M/s Sehwag Research & Breeding Farm, Manoharpur, Jind.

DA/As above

Signed by Bhupender Singh
Rinwa
Date: 02-01-2023 10:36:31
Reason: Approved

**Sr. Env. Engineer (HQ)
For Chairman**