

Joint Committee Report

IN

Original Application No. 337/2014 (CZ)

Vinod Kumar Kori Vs. State of M.P. &Ors

Shifting of Slaughter-house,

Operating at Jinsi, Jehangirabad, Bhopal (MP)

**Joint Committee Report in compliance of the directions passed by  
Hon'ble Tribunal in OA 337/2014, Vinod Kumar Kori Vs. State of M.P.  
&Ors on 08.07.2021**

1. Hon'ble National Green Tribunal, Central Bench, Bhopal has issued the following direction on order dated 08/07/2021 in the matter of O.A No. 337/2014 (CZ) Vinod Kumar Kori Vs State of M.P. &Ors :-

*"2. The State Government/ Bhopal Municipal Corporation has filed the status report and stated that considering lots of prospective sites and dealing with heavy objections from the public at large and the Local Political Authorities, the State Government had taken a conscious decision to set up a modern State of Art Abattoir facility, on part of 44.9 acres given for new Waste to Energy Plant and landfill site at Adampur Chhawani. It is further submitted that 4 acres of land would be sufficient and work on the same after the demarcation can be commenced by the contractor to whom the work order has been issued after identification and due process of tender. There is a correspondence with the BMC and the contractor with regard to the LOA and matter shall be finalized as early as possible.*

*3. Learned Counsel appearing for the State Pollution Control Board has submitted that matter for allotment of the land is pending with Collector, Bhopal. Learned Counsel appearing for the Bhopal Municipal Corporation has submitted that the matter shall be finalized immediately after the allotment of land by the State Administration. With the concurrence of State Counsel and the Bhopal Municipal Corporation, we deem it just and proper to constitute a committee to finalize the matter within a time frame thus, we constitute a committee as follows :*

- 1. Secretary, Urban & Housing Development, Bhopal(MP)*
- 2. Member Secretary, State Pollution Control Board,Bhopal (MP)*
- 3. Bhopal Municipal Commissioner, Bhopal (MP)*
- 4. Collector / District Magistrate, Bhopal (MP)*

*We direct to finalize the matter because it is pending from 2014. It is further argued by the Learned Counsel for the State Pollution Control Board that Bhopal is one of the best cities in India and thus the State is trying for better facilities to function the commercial activities with due regard to the environmental norms and public objections.*

*5. Accordingly, we direct the Joint Committee mentioned above to finalize the matter as early as possible and submit the report within four week."*

2. In compliance of the directions passed by the Hon'ble Tribunal, a meeting of the following officers was held on 3<sup>rd</sup> August, 2021 to finalize the matter in case "Vinod Kumar Kori Vs State of M.P. &Ors" O.A. No. 337/2014 (CZ) as per the order passed by Hon'ble NGT, Central Zone Bench on 8<sup>th</sup> July, 2021.

- a) Secretary, Urban and Housing Development, Bhopal (MP)
- b) Member Secretary, State Pollution Control Board, Bhopal (MP)
- c) Bhopal Municipal Commissioner, Bhopal (MP)
- d) Collector/District Magistrate, Bhopal (MP)

3. **During the meeting Commissioner, Bhopal Municipal Corporation presented the case before the committee including following points:**

- Shri Vinod Kumar Kori had filed a case in the Hon'ble National Green Tribunal, Central Zone Bench, Bhopal against the Government of Madhya Pradesh and others with respect to original application number 337/2014 in which the petitioner has prayed for shifting the Slaughter-House located in Jahangirabad Jinsi.
- Hon'ble NGT on 30<sup>th</sup> Sept, 2015 ordered to shift the Abattoir Facility from the above mentioned place by 30<sup>th</sup> June, 2016.
- In the above context, Bhopal Municipal Corporation took the approval in the budget meeting of Council on 2<sup>nd</sup> April, 2016 for shifting and establishing the Abattoir Facility outside the Municipal Corporation limits on DBOT model. On 20<sup>th</sup> April, 2016 approval was given to float the tender. The tender was issued by the Municipal Corporation on 20<sup>th</sup> April, 2016.
- The lowest rates were received from MP Agro Ltd, Agra with condition that the Abattoir Facility will be operated by the tenderer for 20 years and would deposit the prescribed fee every year to the Municipal Corporation. The ownership of the Abattoir Facility was to be of the Municipal Corporation of Bhopal only. The above rate was presented to the Mayor's Council on 2<sup>nd</sup> June, 2016 for approval.
- The proposal was returned by the Mayor's Council remarking that action is still under consideration at the government level regarding the transfer of the Abattoir Facility. After receiving the instructions of the government, it would be appropriate to act in the matter.
- On 31<sup>st</sup> August, 2016, Hon'ble NGT issued an order directing BMC that:
  - Operation of Abattoir Facility at Jinsi is allowed only till 31<sup>st</sup> March, 2018.
  - Both the State Government and Municipal Corporation to pay jointly Rs. 01 crore to be deposited as penalty to MPPCB. The said amount will be used for repairing deficiencies in the Abattoir Facility located at Jinsi, which can be done after the permission of NGT from time to time.

- Out of the above Rs. 1.00Crore deposits, improvement works of Rs. 12.00 Lakhs were done in Jinsi Abattoir Facility. As a result of which the liquid waste coming out of the Abattoir Facility has been prevented from flowing into the drain.
- In compliance of the above, the proposal was again submitted to Mayor-in-Council on 21<sup>st</sup> July 2017. Mayor-in-Council submitted the proposal to Municipal Council. The proposal was not accepted by the council with two-third majority.
- Due to missing the deadline of 31<sup>st</sup>March2018, The Hon'ble NGT then increased the fine to Rs. 2.00Crore on the state government, plus a penalty of Rs. 10,000 for each day of delay till the shifting was finally done by the new deadline of 30<sup>th</sup>June,2019.
- On account of missing the deadline of 30<sup>th</sup> June, 2019, the Hon'ble NGT, during the hearing on 18<sup>th</sup> July, 2019 further increased the fine to Rs 5 crore and set a new deadline of 31<sup>st</sup> December, 2019 to identify a new site and finish construction of the abattoir facility.
- In compliance of the order dated 18.07.2019, State Government has furnished the performance guarantee of Rs 5 crores to the Registrar, NGT, Bhopal. Hon'ble NGT, Principal Bench, New Delhi vide its order dated 22.10.2019 directed that the operations of the slaughter house shall be stopped with immediate effect.
- Hon'ble Supreme Court vide its order dated 09.12.2019 passed in Civil Appeal No. 9572-9573/2019 has stayed the order dated 22.10.2019 passed by Hon'ble NGT, PB, New Delhi.
- The State government had taken the decision to construct the modern State of the Art Facility on part of 44.9 acres land given for new Waste to Energy Plant and Landfill site at Adampur Chhawani. But due to Public protest and Political issues, the relocation of the Abattoir Facility could not move forward.
- BMC commissioner requested Collector, Bhopal for allotment of new land, which has been identified at village Jhiriniya, Huzur tehsil, Bhopal district. The Work Order has been awarded to contractor to start the construction activities to setup the Abattoir facility at village Jhiriniya, Huzur tehsil, but recently Airport Authority of India has raised the issues on allotted land.
- On 8<sup>th</sup>July, 2021, the Hon'ble NGT ordered BMC to finalize the matter with contractor as soon as possible to start the construction activities of setting up Modern State of Art Abattoir facility at Adampur Chhawani.
- Hon'ble NGT further directed to finalize the matter because it is pending from 2014 and formed a committee to finalize the matter as soon as possible and asked to submit a report within four weeks.

4. Bhopal Municipal Corporation (BMC) has been searching the land in surrounding areas for the last few years. BMC is not able to find a suitable location with this much of land in adjoining / nearby areas. Earlier, Municipal Corporation has identified the required land at Adampur Chawani but due to public protest and several political issues, the idea of shifting the abattoir facility had to be dropped. Later, another land was identified at village Jhiriniya, Huzur tehsil, Bhopal district but that too has been objected by Airport Authority of India (AAI). Due to aforementioned issues, BMC proposed the following points before the committee:

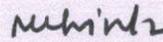
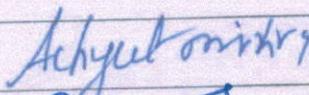
- In view of several issues related to finding the new location for Abattoir facility, the BMC has proposed that, 2.67 acres of land is available in the same area (which is shown in the below given image) therefore, a new modernized facility may be constructed besides the existing facility. The modernized facility shall be established as per the CPCB guidelines and in compliance of the Hon'ble NGT directions.
- Till the time the new facility is established, the existing facility shall operate with proper arrangements. Repair works have already been done to prevent the liquid waste flowing into the drain.
- Municipal Corporation is transporting the Liquid waste generated from Abattoir Facility in municipal tankers to the contracted organization Govindpura Industrial Area Pollution Center for treatment.



## 5. RECOMMENDATION BY THE COMMITTEE:

The Committee resolved on the following issues after detailed deliberations:

- a) Hon'ble Supreme Court vide its order dated 09.12.2019 passed in Civil Appeal No. 9572-9573/2019 has stayed the order dated 22.10.2019 passed by Hon'ble NGT, PB, New Delhi. However, Hon'ble Supreme Court has directed the State Government and Bhopal Municipal Corporation to take concrete steps for setting up of new slaughter house.
- b) In view of the above directions passed by the Hon'ble Supreme Court and Hon'ble NGT vide its order dated 08.07.2021, the committee is of the opinion that, the District Administration and Bhopal Municipal Corporation shall take steps for complying with the directions passed by the Hon'ble Tribunal regarding establishment of new Abattoir Facility at the earliest.
- c) The proposal made by the Bhopal Municipal Corporation, regarding the establishment of new Abattoir Facility at the adjoining 2.67 acres of land is hereby put before the Hon'ble Tribunal for consideration. The new facility shall be established strictly following the guidelines laid down by the Central Pollution Control Board and after obtaining all the requisite permissions/approvals.
- d) The BMC shall ensure that till the time the new facility becomes operational, the existing facility shall operate with proper arrangements for liquid waste treatment and ensure that there is no discharge in the drains.

Sr. No.	Name/Designation	Signature
1	Commissioner cum Secretary, Urban and Housing Development, Bhopal (MP)	
2	Member Secretary, State Pollution Control Board, Bhopal (MP)	
3	Collector, Bhopal (MP)	
4	Commissioner, Bhopal Municipal Corporation, Bhopal (MP)	