

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 465/2019

IN THE MATTER OF: -

KULWINDER SINGH SANDHU & ORS.

APPLICANT(S)

VERSUS

RAM MURTI & ORS.

RESPONDENT(S)

INDEX

SL. NO.	PARTICULARS	PAGE NO.
1.	STATUS REPORT IN THE MATTER OF KULWINDER SINGH SANDHU & ORS. VS. RAM MURTI & ORS. (OA NO. 465/2019) IN COMPLIANCE OF HON'BLE NGT ORDER DATED 05.02.2020.	
2.	ANNEXURE-I A COPY OF LETTER DATED 05.03.2020 ISSUED BY CPCB TO 24 SPCBs/PCCs REGARDING REQUIRED INFORMATION.	
3.	ANNEXURE- II A COPY OF REQUIRED INFORMATION RECEIVED FROM ODISHA STATE POLLUTION CONTROL BOARD.	
4.	ANNEXURE- III HON'BLE NGT ORDER DATED 05.02.2020	



(DIVYA SINHA)

SCIENTIST 'E'

CENTRAL POLLUTION CONTROL BOARD,
PARIVESH BHAWAN, EAST ARJUN NAGAR,

DELHI-110032

DATE: 11.05.2020

PLACE: DELHI

Central Pollution Control Board, Delhi

Dated: 11/05/2020

Status report in the matter of Kulwinder Singh Sandhu & Ors. Vs. Ram Murti & Ors. (OA no. 465/2019).

Hon'ble NGT vide order dated 5th Feb., 2020 in OA 465/2019 directed as follows

“CPCB needs to prepare guidelines in the matter and circulate the same for compliance to all the States/UTs. The CPCB may also laydown interim mechanism in the matter to be adopted immediately. CPCB may also complete action in terms of earlier directions for collecting information from all State PCBs/PCCs about the status on the subject at the ground level. “

Action taken:

- CPCB had previously issued letters dated 19.11.2019 & 10.12.2019 to all SPCBs/PCCS to provide information related to carcass disposal in the prescribed format, 11 SPCBs/PCCs (**Chandigarh, Delhi, Dadra & Nagar Haveli, Kerala, Lakshadweep, Jammu & Kashmir, Madhya Pradesh, Meghalaya, Mizoram, Tripura, West Bengal**) had submitted information which was compiled and submitted to Hon'ble NGT in its report filed on 16th Jan.,2020.
- Vide letter dated 05.03.2020, reminder to submit required information was sent to remaining 24 SPCBs/PCCs. Copy of letter along with template is enclosed at **Annexure-I**.
- Required information on the matter has been received from Odisha SPCB so far and same is enclosed at **Annexure-II**. Reply from 23 SPCBs/PCCs is awaited for compilation of complete status report on Carcass disposal.
- Field visit to carcass disposal sites is required for preparation of guidelines on the matter, the same could not be undertaken due to COVID-19 pandemic situation in the country.
- In view of above, extension of three months may kindly be granted for preparation of guidelines and compilation of complete status report on the matter.

- 1 -



SPEED-POST

Annex-1
केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/UPC-II/MSW/2019-20

Dated: 05.03.2020

COURT MATTER

Reminder-1

To,

**The Member Secretary,
SPCBs/PCCs (As per list)**

Sub: Information from SPCBs/PCCs regarding issues related to carcass disposal and remedial action

- Ref:**
1. Hon'ble NGT Order in OA No. 465/2019 dated 10.10.2019.
 2. CPCB letter no. B-11011/UPC-II/MSW/2018-19 dated 19.11.2019.
 3. Hon'ble NGT Order in OA No. 465/2019 dated 05.02.2020.

Sir,

With reference to Hon'ble NGT order dated 05.02.2020 and CPCB letter dated 19.11.2019, SPCBs/PCCs were requested to provide the following information (format enclosed):

1. Current practices adopted for carcass disposal.
2. Details of sites (as well as scientifically developed sites) identified for Carcass disposal.
3. Environmental issues and remedial action taken for carcass disposal.

However, no information has been received from your State/UT so far.

Vide order dated 05.02.2020 in this matter Hon'ble NGT directed "*CPCB may also complete action in terms of earlier directions for collecting information from all SPCBs/PCCs about the status on the subject at the ground level. The State PCB may also take appropriate effective measures in the matter*"

Therefore, it is requested to provide the desired information w.r.t. your state/UTs, to this office within 15 days of receipt of this letter to ensure timely submission of information to Hon'ble NGT.

Yours faithfully,


(Divya Sinha)
Addl. Director & DH-UPC-II

o/c

- 2 -

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

Format for information on carcass disposal :

- 1. Current practices adopted in the state**
- 2. No. of carcass disposal sites**
- 3. No. of scientifically developed site**
- 4. No. of sites to whom consent/authorization has been issued**
- 5. For each site following information to be provided.**

1. Scientific /unsintific		
2. Capacity		
3.Details of process technologies adopted (if any)		
4. Environmental issues & Remedial Action Taken		
Category	Environmental issues	Remedial Action taken
Air		
Water		
Solid		



Tel : 0674-2564033
FAX : 0674-2564033/2564573
EPABX : 2561909/2562847
E-mail: paribesh1@ospcboard.org
Website: www.ospcboard.org

STATE POLLUTION CONTROL BOARD, ODISHA

[DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA]
Paribesh Bhawan, A/118, Nilakantha Nagar, Unit - VIII
Bhubaneswar - 751 012, INDIA

No. 4143 / MSW-173

Date: 21-04-2020

To

"By E mail/ Registered Post"

Mrs. Divya Sinha,
Additional Director & DH- UPC- II
Central Pollution Control Board
Parivesh Bhawan, C.B.D. Cum- Office Complex
East Arjun Nagar, Shahdra, Delhi- 110 032

Sub: Information on Carcass disposal and remedial action thereof.

Ref: Letter F. No. B- 11011/UPC- II/ MSW/ 2018-19/ 8901 dt. 19.11.2019 and
No. 3246 dt.05.03.2020

Madam,

Please find enclosed herewith the information relating to Carcass disposal and remedial action thereof in duly filled in format as required in Hon'ble NGT O.A. No. 465 of 2019, titled as "Kulwinder Singh Sandhu & Ors. Vrs. Ram Murti & Ors."

This is for information and necessary action.

Yours faithfully

Encl: As above.


21/4
Chief Env. Scientist

Format for Information on carcass disposal:

1. Current practices adopted in the State : Burning / Burying
2. No. of Carcase disposal sites : 12
3. No. of scientifically developed sites : Nil
4. No. of sites to whom consent / authorization has been issued : Nil
5. For each site following information to be provided :

1. Scientific / Unscientific	Scientific	
2. Capacity	-----	
3. Details of process technology adopted (if any)	Salt and bleaching powder is used for burial.	
Environmental issues and Remedial Action taken		
Category	Environmental Issues	Remedial Action taken
Air	-----	-----
Water	-----	-
Solid	-----	Proper sanitation is being carried out.

Item No. 05

Court No. 1

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

Original Application No. 465/2019
(I.A. No. 332/2019)

(With report dated 16.01.2020)

Kulwinder Singh Sandhu & Ors.

Applicant(s)

Versus

Ram Murti & Ors.

Respondent(s)

Date of hearing: 05.02.2020

CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER
HON'BLE MR. SIDDHANTA DAS, EXPERT MEMBER

For Applicant(s): Dr. Dinesh Goyal, Ms. Smita Mohan,
Advocates

For Respondent(s): Mr. Vikrant N. Goyal, Advocate for CPCB

ORDER

1. Vide order dated 24.05.2019, this Tribunal sought a factual and action taken report from the CPCB, PPCB and the District Magistrate, Ludhiana with reference to the allegation of crude and unscientific carcass disposal at Village Ladhawal, District Ludhiana, Punjab by Respondent Nos. 1 to 5, Ram Murti, Ramesh Kumar, Suraj Kumar, Parshotam Lal and Munish Kumar.
2. The matter was thereafter considered on 10.10.2019, in the light of report dated 15.09.2019 furnished by the State PCB, as follows:

"2. Accordingly, report dated 15.09.2019 has been filed by the State PCB acknowledging the unscientific and illegal activities on the land belonging to the Central Government. The joint inspection report shows the BOD level of drain

leading to River Satluj was 1650mg/l (as against 30) and COD was 3881 mg/l (as against 250). Untreated effluents were being discharged into the River Satluj. Ground water was contaminated. Compensation was assessed to be more than 11 Crores. The findings of the Committee are:

“Findings of the committee:

1. The committee has physically verified the facts at site as above.
2. The committee has observed that there is a problem of odour and nuisance in the area by the activities of the Hadda Roddi.
3. The sample analysis results revealed that the effluent being generated by the activities carried out by the Hadda Roddi have high concentrations of Biochemical Oxygen Demand, Chemical Oxygen Demand, Total Suspended Solids and Oil & Grease which may cause grave injury to the water receiving body.
4. The analysis results of river water revealed that the activities carried out by the Hadda Roddi are causing deterioration in the water quality of River Sutlej.
5. The analysis results of ground water revealed that presently there is no effect on the ground water quality of the area by the operation of said Hadda Roddi activities.
6. The committee has calculated the Environmental Compensation for five years, as per the guidelines framed in directions issued by the Hon'ble National Green Tribunal on 19.02.2019 in OA No. 593/2017.
7. For redressal of the grievances of the complainants there is a need to relocate the said Hadda Roddi and to setup a scientifically developed carcass plant. The Municipal Corporation Ludhiana has proposed a project to develop a scientific developed carcass plant at Noorpur Bet Ludhiana. The Punjab Pollution Control Board has already granted Consent to Establish (NOC) for this project.
8. The Municipal Corporation Ludhiana has informed that work for the installation of the said plant has been allotted to M/s Ess Bee Enterprises, Greater Noida, UP. LOI has been issued on 1.7.2019. The Municipal Corporation Ludhiana has informed vide letter no 264/500/D dated 02.08.2019 that the ground work has already been started and this plant will be fully operations within one year i.e. by August 2020.
9. The Municipal Corporation Ludhiana shall be asked to submit a time bound action plan for relocation of existing Hadda Roddi and completion & commissioning of the proposed scientifically developed carcass plant.
10. For further comprehensive study of the environmental damage in the area caused by the operation of said Hadda Roddi, the project may be assigned to some institute of repute like National Environmental Engineering Research Institute (NEERI) or Indian Institute of Technology (IIT).”

3. Let the State PCB take further action in accordance with law and furnish further action taken report within two months. The State PCB must take immediate steps to close the illegal activity and recover environmental compensation for the damage to the environment in accordance with law. We request the Monitoring Committee for controlling pollution of River Satluj, headed by Justice Jasbir Singh, former Judge of the Punjab and Haryana High Court to monitor the situation. The Monitoring Committee may also look into the conduct of the officers of the State PCB in not taking requisite action so far.

4. From the above, it is clear that crude and unscientific carcass disposal not only results in severe odour and nuisance, effluent generated in the process pollutes the water bodies on account of high concentration of BOD, COD, TSS and oil. For protection of environment, remedial action is necessary. Let CPCB compile information from all State Boards and PCCs about the extent of problem and the remedial action on the subject and furnish a report to this Tribunal before the next date. If any plan/scheme on the subject is available with the Ministry of Agriculture and Animal Husbandry, the same maybe furnished by the Ministry to the CPCB.”

3. In pursuance of the above, the State PCB has filed report dated 14.01.2020 to the effect that notice has been issued for recovery of compensation amounting to Rs. 2,28,12,000/- from each of the 5 Hadda Roddi units. It is further mentioned that:

“5. The Municipal Corporation, Ludhiana gave proposal to install carcass utilization plant at Village Noorpur Bet, Humbran Road, Ludhiana. The Municipal Corporation, Ludhiana also obtained the site clearance from the competent Authority (SCA-cum-SAC) for the establishment of carcass utilization plant at Noorpur Bet, Ludhiana. Accordingly, Director of Factories, Punjab vide letter no. 3822-27 dated 31-03-2017 issued the approval of Site to Municipal Corporation, Ludhiana for the establishment of carcass utilization plant at Noorpur Bet, Ludhiana.

6. That under the Chairmanship of Commissioner, Municipal Corporation, Ludhiana, a joint meeting between respondent Board and MCL Officials was held on 12.06.2017 to expedite the completion of project. The officials of the Municipal Corporation, Ludhiana assured for early necessary action in the matter. The respondent Board vide its letter no. 4767 dated 23.08.2017 again requested to the Commissioner, Municipal Corporation, Ludhiana to expedite the process of establishment of Carcass Utilization Plant.

The Joint Commissioner, Municipal Corporation, Ludhiana was requested by the respondent Board vide endst. No. 149 dated 05.01.2018 to submit periodic monthly progress regarding process of establishment of Modern and scientific Carcass Utilization Plant at Noorpur Bet, Ludhiana to be completed by 31.12.2018. The authorities of Municipal Corporation, Ludhiana were requested to comply with the above said decisions vide Board's letter no. 1020 dated 16.07.2018.

7. That Directions u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 have also been issued by the respondent Board to the Municipal Corporation Ludhiana that the Municipal Corporation, Ludhiana shall expedite the process of establishment of Modern and scientific Carcass Utilization Plant at Noorpur Bet, Ludhiana and establish the same by 31.12.2018. However, the construction has not yet been started.
 8. That the Punjab Pollution Control Board has also written letter bearing no. 1095 dated 17.07.2019, 1529 dated 15.09.2019 and 927 dated 29.11.2019 to the office of the Deputy Commissioner, Ludhiana requesting therein to shift the Hadda Roddi to some suitable place in accordance with law.
 9. That vide letter no. 930 dated 29.11.2019 the Commissioner, Municipal Corporation, Ludhiana has again been requested by the Board to complete the said project with immediate effect so that the activities being carried out by the Hadda Roddis at Ladhowal are stopped and the same are shifted to the proposed Modern and scientific Carcass Utilization Plant.
 10. That in further compliance to the orders dated 10.10.2019 of the Hon'ble Tribunal it is respectfully submitted that the notices to recover the Environmental Compensation amounting to Rs. 2,28,12,000/- from each of the 5 Hadda Roddi sites as calculated by the Joint Committee constituted by Hon'ble NGT have been issued by the Punjab Pollution Control Board u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981, with an opportunity of personal hearing before the Competent Authority of the Punjab Pollution Control Board to the owners of 5 Hadda Roddis. The copies of the said notices are enclosed herewith as **Annexure-R1** for kind perusal."
4. The CPCB has also filed report dated 15.01.2020. The observations and recommendations are as follows:

"3.0 OBSERVATIONS:

Following are the observations from information received

1. Methods presently adopted for carcass disposal include Deep Burial, Rendering and Incineration
2. Most States/UTs have adopted "Deep Burial" practice for disposal of carcass.
3. Total no. of carcass disposal sites in 11 States/UTs is 128, however, only 4 States/UTs (namely Delhi, J&K, Lakshadweep and Mizoram) have granted authorization to 7 carcass disposal sites as per details given below:

State/UT	No. of authorization sites	Disposal methods
Delhi	1	Rendering plant
J & K	1	Deep Burial
Lakshadweep	4	Deep Burial
Mizoram	1	Slaughter House

Chandigarh is in process of installation of incinerator.

4. West Bengal has indicated that 24 sites are scientifically developed. However, neither details regarding the burial practices followed are not given nor has authorization been granted to these sites by WBSPCB.
5. Different carcass disposal methods are mentioned below:

5.1 Rendering:

Rendering is the process of converting animal carcasses to pathogen-free, useful by-products such as feed protein. In the process of rendering, the carcasses are exposed to high temperatures using pressurized steam to ensure destruction of most pathogens. It is a closed system for mechanical and thermal treatment of animal tissues leading to stable, sterilized products.

5.2 Incineration:

Incineration is the thermal destruction of carcasses by auxiliary fuel such as diesel or natural gas etc. or by using electric energy. It reduces carcasses to ash and is generally bio-secure.

5.3 Burial:

Burial is a method in which carcass is buried in the ground. It is common method of carcass disposal. Use of slaked lime, bleaching powder and crystal salt are some remedial measures taken to address environmental issues related to deep burial in case of infectious carcass.

5.4 Other methods

Other methods of disposing animal carcass are pyre-burning, composting, mounding and other patented technologies.

Recommendation:

1. *Carcass should be utilized adopting rendering process or incineration. In rendering plant, odour control methods, such as bio-filters, scrubber etc. may be adopted and to meet prescribed standards before discharge. In incinerator, air pollution control devices should be installed.*
 2. *Disposal of carcass through deep burial method may be adopted where rendering/incineration facility is yet to be developed.*
 3. *Operators of carcass disposal sites should obtain authorization from respective SPCBs/PCCs.*
 4. *SPCBs/PCCs need to monitor carcass disposal sites or facilities to address environment issues.*
 5. *Consolidated guidelines on carcass disposal may be issued by Ministry of Housing & Urban Affairs/Ministry of Animal Husbandry and Dairying.”*
5. In view of the above, the action taken not being adequate, further steps in the matter are necessary. CPCB needs to prepare guidelines in the matter and circulate the same for compliance to all the States/UTs. The CPCB may also laydown interim mechanism in the matter to be adopted immediately. CPCB may also complete action in terms of earlier directions for collecting information from all State PCBs/PCCs about the status on the subject at the ground level. The State PCB may also take appropriate effective measures in the matter. We request the Committee headed by Justice Jasbir Singh, former Judge, Punjab and Haryana High Court to oversee the steps taken by the State PCB in the matter.
6. Deputy Commissioner, Ludhiana and Commissioner, Municipal Corporation, Ludhiana to file action taken report within one month to this Tribunal by email at judicial-ngt@gov.in.
7. Action taken reports may be filed by Punjab PCB and CPCB before the next date. A copy of this order be sent by e-mail to CPCB, Punjab State PCB, Justice Jasbir Singh, former Judge, Punjab &

Haryana High Court, Deputy Commissioner, Ludhiana and
Commissioner, Municipal Corporation, Ludhiana by email.

List for further consideration on 13.05.2020.

Adarsh Kumar Goel, CP

S.P Wangdi, JM

Dr. Nagin Nanda, EM

Siddhanta Das, EM

