

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

(BY HYBRID MODE)

I.A. No. 646/2023

IN

Original Application No. 879/2022

Gauri Maulekhi

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 09.08.2023

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Raj Panjwani, Senior Advocate with Ms. Esha Dutta,
Adv. for Original Applicant

Respondents: Mr. Pratyaksh Gupta, Adv. for MoEF & CC
Mr. Vikrant Pachnanda, Adv. for CPCB

ORDER

1. The Central Pollution Control Board (CPCB) in 2016 revised the classification of industrial sectors under Red, Orange, Green and White categories and slaughter houses were categorized as 'Red' category industries due to their adverse impact on environment due to:

- a. Over consumption of water, which generates waste water;*
- b. Improper solid waste disposal resulting in clogging of drains and contamination of water bodies;*
- c. The exposure to unhealthy carcasses results in spread of Zoonotic diseases that is a larger concern of public health;*
- d. Obnoxious emissions which cause air pollution and contribute to climate change;*
- e. The adverse impact on surrounding areas including human habitation.*

2. In view of above, a well-managed slaughter house must have facility for animal holding, lairage, abattoir, chilling room, process hall,

freezing rooms. In the chilling room, carcasses are stored in 7°C and in the freezing tunnel, products are frozen in -40°C. The packed meat products are stored in cold storage at -20°C until products are dispatched. All these cooling processes and equipment consume a lot of electricity and emit heat into the atmosphere, which contribute to the global warming. Emissions from slaughterhouses are from the freezing plants and the CO₂ is from the stunning equipment. Dietary processes of livestock include methane rich contents. Wastewater generated from slaughterhouses/processing units contains large amount of suspended solids, including fat organic materials, which release methane, nitrate and carbon dioxide, both major contributors to climate change. Standards for discharge of effluents from slaughter houses are mentioned in the Notification dated 28.10.2016 and included in Schedule I to the EPA Rules.

3. In-depth study about 'Characterization, Waste Management Practices & Best available Pollution Control Technologies in Slaughter Houses' was prepared by CPCB vide report dated 23.10.2017 which was discussed in the order dated 03.05.2023 and necessary directions were issued to the Ministry of Environment, Forests and Climate Change (MoEF&CC) to take a call on the recommendations of the Expert Committee headed by Dr. S.R. Wate in the light of minutes dated 02.05.2017.

4. The MoEF&CC again convened a meeting on 25.07.2023 in which the matter was discussed in agenda No. 4.1.3, where it was found that after detailed deliberation, the Committee noted that activity under question comes under the highest polluting Red category as per the CPCB's classification of polluting industries and in many areas across the country, it is a major source of pollution of both groundwater and surface

water. Further, in thousands of sites, it presents a major challenge of disposal of biological solid wastes. This clearly suggests the inadequacy of existing measures. Therefore, it is imperative to bring the industry under appropriate levels of environmental regulations. Accordingly, it was suggested that the Ministry may accept the report of the Committee and bring the slaughter houses under purview of the EIA Notification, 2006 as amended. One of the Member of EAC Prof. P. K. Joshi, was of the view that this industry is a major pollutant not only of water bodies but also of open spaces with the large quantities of biological waste it produces and the foul odors it generates. Excessive consumption of water that the industry needs to meet the exacting hygiene standards of many meat importing countries also creates an enormous environmental liability on the people who must compete for the same waters. Being the most unorganised sector, it warrants strict implementation of the prescribed norms and effective monitoring mechanisms need to be put in place to address the environmental concerns of slaughterhouses. The fear of industry or stakeholders that bringing the industry under EIA Notification 2006 necessitating prior EC would greatly disrupt the meat exports was also considered and it was found that it has no basis for the reasons that the new regulation would have no retroactive effect and thus can have no bearing on the existing slaughter houses. Even more importantly, the requirements of the stringent provisions of the EIA Notification would in fact make the product more in demand of the consumers in the highly environment conscious markets of the EU and North America. Ultimately, the EAC recommended the applicability of the EIA Notification in the field of slaughter houses.

5. Vide order dated 03.05.2023, passed in OA No. 879/2022, this Tribunal directed the MoEF&CC to take a call within two months and in

case, if no decision is taken by the MoEF&CC within two months as directed above, the requirement of EC will apply to all large slaughter houses as per classification in the 'Revised Comprehensive Industry document on slaughter houses'.

6. Now the MoEF&CC has moved an application (IA No. 646/2023) for grant of further six months' time to consider and finalize the matter on the ground that the matter quoted above has been referred to sectoral Expert Appraisal Committee and presently under examination by the EAC and representations received in the MoEF&CC are still under deliberations by the said Expert Committee in the MoEF&CC.

7. The contention of the learned Counsel appearing for the applicant in IA No. 646/2023 is to the effect that in order to analyse the issues involved and to arrive at a logical conclusion, EAC/Ministry needs to thoroughly examine all issues involved which inter-alia includes examination of recommendations received in the MoEF&CC from the interested stakeholders in the matter along with consultation with the subject domain experts.

8. Shri Raj Panjwani, learned Senior Counsel has submitted that this Tribunal has already directed that no new large slaughter houses would be permitted to be established/expanded without EIA as per procedure applicable to 'B' category projects in terms of the EIA Notification. No diligent efforts had been taken by the respondent in a time bound manner to regulate the matter in accordance with Expert Committee report and in light of the directions issued by this Tribunal vide order dated 03.05.2023 and the matter has not been finalized till date. Respondent No. 1 is considering the issue and virtually sitting on the issue of inclusion of the slaughter houses under the ambit of the

Notification right from the year 2015 and in the meeting of the Expert Committee which is internal Committee of the MoEF&CC, constituted by the Ministry had specifically recommended that EIA Notification, 2006 be amended and that all slaughter houses as well as processing units need to obtain prior Environmental Clearance under the EIA Notification.

9. The Committee headed by Dr. S.R. Wate, vide report dated 02.05.2017, recommended the streamlining Environmental Clearance procedure as follows:

“A. The inclusion of slaughterhouses and meat processing under EIA Notification, 2006:

4. *This issue was earlier discussed by Expert Committee in Its meetings held on 15.09.2015, 24.02.2016, 16.05.2016 and 23.06.2016. In the last meeting, representatives from Agricultural and Processed Food Products Export Development Authority (APEDA), South Delhi Municipal Corporation, Delhi Pollution Control Committee, Food Safety and Standards Authority of India (FSSAI), Central Pollution Control Board (CPCB), All India Meat & Livestock Exporters Association (AIMLEA) were also participated. During the meeting, it emerged that India's contribution to livestock population in the world goes as 58% of buffalo population, 15% of cattle population, 17% of goat population and 7% of sheep population. The annual production of buffalo meat in India is more than 1.5 Million Tonnes and accounts for about 30% of total meat production of the country. Out of this about 1.1 million tonnes is exported.*

5. *The illegal slaughtering contributes heavily in polluting the environment as the waste material generated from illegal slaughterhouses is mostly washed off into drains, which ultimately creates environmental havoc. The illegal slaughtering, therefore, needs to be regulated and monitored in more efficient manner. Presently, the control and monitoring of hygiene/sanitation of slaughterhouses come under the control of State Governments, State Pollution Control Boards, FSSAI, APEDA. The municipal slaughterhouses are also getting financial assistance from the Ministry of Food Processing Industries. The clearances required for slaughterhouses inter alia include permission from District Magistrate, with regards to land and Consents (to establish and operate) from Pollution Control Boards.*

6. *As per Information provided by CPCB, there are total 109 Meat processing units (stand alone or integrated with the slaughter houses) in India, which are expected to have processing capacity of >5 tonnes per day. Of these, 75 Meat Processing units have their own slaughter houses and 34 units procure meat from outside (Source: APEDA). Besides, Central Leather Research Institute (CLRI) has basic information about 2400 municipal slaughterhouses in the*

country (earlier estimates show there are about 3600 municipal slaughterhouses in the country). As per information collected by CLRI:

- 65 municipal slaughterhouses slaughter > 17500 large animals per year (i.e. > 50 large animals per day on 350 days per year basis) or > 105000 small animals per year (i.e. > 300 small animals per day on 350 days per year basis); and
- 137 municipal slaughterhouses slaughter 3500 - 17500 large animals per year (i.e. 10.50 large animals per day on 350 days per year basis) or 2100 - 105000 small animals per year (i.e. 60-300 small animals per day on 350 days per year basis)

7. In view of the huge meat production capacity of India and absence of national level regulation for this industry from environment as well as legal points of view, it is high time to introduce regulatory and monitoring mechanism at national level so that the negative Impact of meat production industry on environment and hygiene can be minimised in India. It is, therefore, proposed to bring all slaughterhouses along with large meat handling and processing units in the country under environmental clearance regime. Accordingly, the Expert Committee, after detailed deliberations and analysis of relevant facts and figures, recommended amending EIA Notification, 2006 as under:

“A. All slaughterhouses need to obtain prior environmental clearance under the EIA Notification, 2006. As per 'Prevention of Cruelty to Animals (Slaughter House) Rules, 2001'; a place is considered to be a slaughterhouse wherein 10 or more animals are slaughtered per day and is duly licensed or recognized under a Central, State or Provincial Act or any rules or regulations made thereunder.

B. The stand alone slaughterhouses, wherein 10-50 large animals per day or equivalent 60-300 small animals per day or combination thereof are slaughtered, will be appraised as Category B Projects for prior environmental clearance. The stand alone Meat Handling & Processing units having production of 1-5 tonnes of meat per day' shall be appraised as category B projects.

C. The stand alone slaughterhouses, wherein >50 large animals per day or equivalent >300 small animal per day or a combination thereof are slaughtered, will be appraised as category A projects for prior environmental clearance. In the case of stand-alone Meat Handling & Processing units having production of >5 tonnes of meat per day shall be appraised as category A projects.

D. In case of integrated Slaughterhouse and Meat Handling & Processing Units, project/activity shall be appraised as per slaughtering capacity.

E. Poultry meat and/or Fish processing/freezing units or combination thereof (stand alone slaughterhouses, if applicable or integrated with meat Handling & Processing units or combination thereof) with a production capacity of 1-5 tonnes per day shall be appraised as Category B project.

F. Poultry meat and/or Fish processing/freezing units or combination thereof (stand alone slaughterhouses, if applicable or integrated with meat Handling & Processing units or combination thereof) with a production capacity of >5 tonnes per day shall be appraised as Category A project.

G. All Category B project will be appraised as Category B1 projects.”

10. The grievance of the applicant is Para 15 of the order passed by this Tribunal on 03.05.2023 where the term of two months' time was granted to the MoEF&CC to take further action. The prayer in the IA is to extend further time. Accordingly, in view of the fact that the Respondent No. 1 has already constituted a Committee and the Committee is considering the implementation, thus, it would be appropriate to provide further time of 60 days to take a decision in accordance with law and to submit the report.

11. List the matter on 20.10.2023 (previous date is modified accordingly).

Sheo Kumar Singh, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 09, 2023
I.A. No. 646/2023
IN Original Application No. 879/2022
DV