

Item No. 02

Court No. 1

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

(By Hybrid Mode)

Original Application No.879/2022
(I.A. No. 38/2023)

Gauri Maulekhi

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 03.05.2023

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

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

Respondent(s): Mr. Vikrant Pachnanda, Advocate for CPCB
Mr. Sandeep Mahapatra & Mr. Soumitra Chatterjee, Advocates for
Applicant (All India Jamiatul Quresh Action Committee) in I.A No.
38/2023

ORDER

The Issue – environmental regulation of slaughter houses

1. Grievance in this application is about inadequacy of environmental regulatory framework to evaluate and remedy adverse impact of slaughter house activities inspite of recommendations of expert Committee of the MoEF&CC on the subject. It is stated that slaughter house and allied activities adversely affect the environment on account of following factors:

- 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. It is further stated that as per **‘Revised classification of industrial Sectors under Red, Orange, Green and White categories report published by CPCB in 2016’**, slaughter houses are ‘red’ category industries due to their adverse impact on environment. Thus, a well-managed slaughterhouse must have facility for animal holding, lairage, abattoir, chilling room, process hall, freezing rooms. In the chilling room, carcasses are stored in 7oC and in the freezing tunnel, products are free zed in -40oC. The packed meat products are stored in cold storage at -20oC 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. CPCB conducted in-depth study about ‘Characterization, Waste Management Practices & Best available Pollution Control Technologies in Slaughter Houses’ and prepared report dated 23.10.2017 titled ‘Revised Comprehensive Industry document on slaughter houses’ which inter-alia mentioned as follows:

“18. xxxxxx.....xxx

“India is second largest exporter of meat product. According to FAOSTAT (2010), India is exporting about 14,49,100 tonnes of meat all over the world, which amounts to US\$1511 million. The annual production of buffalo meat alone in India is more than 1.5 million tonnes and accounts for about 30% of total meat production. The contribution in the meat production by cattle, sheep, goat and poultry is 30%, 5%, 10% and 11.5% respectively. The increase in demand for meat and meat products”

“India has more than 1176 slaughterhouses and 75 modern abattoirs as per the Agriculture and Processed Food Products Exports Development Authority (APEDA). As most slaughter houses are operated and managed by municipalities, investment for improvement of infrastructure for slaughter house is difficult. Slaughter houses in rural areas are under the control of local bodies like Panchayats. The slaughterhouses maintained by them get least priority as they have limited resources for this activity and hence no standard practices are followed. Production of meat from these slaughter houses is consumed by domestic retail market cannot be recognized as meat from organized sector”

STUDY ON EFFLUENT DISCHARGES CAUSING WATER POLLUTION

Slaughter houses require fresh and potable water for almost all washing and rinsing operations. Water consumption varies depending on the size of the slaughter house i.e. large slaughter houses require less water when compared to small slaughter houses for large animals.

TABLE 1 WATER CONSUMPTION DETAILS

<i>ANIMAL</i>	<i>CATEGORY</i>	<i>SPECIFIC WATER CONSUMPTION M3/TLWK</i>
<i>Buffalo</i>	<i>Large</i>	<i>0.30-0.50</i>
	<i>Medium</i>	<i>0.1-0.25</i>
	<i>Small</i>	<i>0.05-.25</i>
<i>Goat/Sheep</i>	<i>Large</i>	<i>1.2-2.1</i>
	<i>Medium</i>	<i>1.3-2.5</i>
	<i>Small</i>	<i>0.8-1.7</i>

TABLE 3 TYPICAL CHARACTERISTICS OF SLAUGHTER HOUSE WASTEWATER

Typical characteristics of slaughter house waste water includes high concentration of BOD, COD and TSS concentrations and treated fully or partially in effluent treatment plant depending upon the location, capacity and type of slaughterhouses and the treated effluent disposed into sewer system.

S. NO	PARAMETER	RAW EFFLUENT
1	Ph	7.6-8.2
2	total suspended solids (mg/l)	1500-4500
3	biochemical oxygen demand (bod) (mg/l)	1200-4000
4	chemical oxygen demand (cod)(mg/l)	3000-7000

SOLID WASTE GENERATION FROM SLAUGHTER HOUSE

Carcasses are the main products of slaughter house. Other offal are by-products or wastes. Generally, the terms by-products and offal are used to denote every part which is not included in a dressed carcass. By-products can be divided into two groups namely, edible and inedible/ organs such as kidneys, brain, liver, heart, and gullet are examples of edible by products. Hooves, horns, hair, bristles, gall bladder, ears, skin etc. are among the inedible by-products. Byproducts can form a part of edible meat or can be converted to produce items for various commercial usages. The components left unrecovered simple form the solid wastes.

SOURCE	SOLID WASTE
ANIMAL HOLDING	FODDER WASTES/ DUNGS
ABATTOIR	BLOOD CLOTS
HIDE REMOVAL	HAIR AND DIRT
INTERNAL ORGAN CLEANING AREA	PAUNCH CONTENT
CARCASS DRESSING	FLESH, GREASE
BY PRODUCTS PLANT	GREASE AND OFFAL

ENVIRONMENTAL IMPACTS OF WASTE DISPOSAL WATER

“The most significant environmental impact resulting from slaughterhouses is the effluent. High water consumption and high BOD, COD and TSS concentrations arise during slaughter and carcass dressing. Solids break down and

releasing colloidal and suspended fats and solids lead to an increase in the BOD and COD. Other key contaminants are nitrogen and phosphorus from breakdown of proteins, feed residues, and chlorides from hides/skins salting. The excessive use of water is an environmental issue in itself. Blood has the highest COD strength of any liquid effluent arising from animal slaughter houses. The potential contamination of water needs to be considered from the process and from all potential sources ranging from small leaks to major technical and operational accidents. Municipal sewer will be choked or over loaded if wastes from slaughterhouses are discharged without basic treatment”

AIR

“Most emissions to air from slaughterhouses are from the boilers used to raise hot water and steam. There is also a chance of release of refrigerant gases from chilling and freezing plants and CO₂ from stunning equipment. These issues are common throughout much of the food processing industries. Dust is emitted during unloading of animals in the slaughterhouse.”

SOLID WASTE

“Solids waste generated from slaughterhouses such as cow dung, intestine, solids from effluent treatment plant may be found unscientifically disposed of which attract flies, dogs and other vermin, leads to leachates problem, contamination of surface and ground water thus causing public nuisance and also accompanied by danger of spreading disease.”

ODOUR

“Odors can emit from blood storage and handling, slurry, occupied lairages and inedible offal storage are reported to be the most problematic. Yard areas, unwashed by-products containers and treatment plants, including the initial screening of solids, are also reported to be potential problem sources”

4. In above report of CPCB, slaughter houses are categorized as follows:

Small: Less than 50 large animal i.e. bovines per day, or less than 300 small animal i.e. goat and sheep per day.

Medium: 50 to 200 large animal i.e. bovines per day, or 300 to 1000 small animal i.e. goat and sheep per day.

Large: More than 200 large animal i.e. bovines per day, or more than 1000 small animal i.e. goat and sheep per day.”

5. It is further stated that an Expert Committee for streamlining environmental clearance procedures constituted by MoEF&CC, vide order dated 02.05.2017, headed by Dr. S.R. Wate, recommended 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.”

Procedural History and response of MoEF&CC and CPCB

6. Vide order dated 06.12.2022, the Tribunal sought response from respondents – MoEF&CC and CPCB.

7. **According to MoEF&CC**, requirement of EC already exists for construction projects more than 20,000 sq. mtrs. which includes slaughter houses. CPCB is empowered to take measures to control water and air pollution and has already issued order dated 23.10.2017 for measures to be adopted by the slaughter houses. MoEF&CC has fixed standards for slaughter houses vide notification dated 28.10.2016.

8. **Stand of CPCB** merely mentions the factual position already noted above.

Consideration by the Tribunal and directions

9. We have considered the matter. As already noted, the issue for consideration is whether any change in environmental regulatory regime is required.

10. CPCB study 'Revised Comprehensive Industry Document on Slaughter Houses', quoted above, brings out succinctly adverse environmental impact which need evaluation and safeguards consistent with sustainable development and precautionary principles which have been held to be part of right to life under Article 21 in Vellore Citizen Forum, (1996) 5 SCC 647 and now statutorily incorporated under section 20 of the NGT Act.

11. In *Laxmi Narain Modi v. Union of India*¹, the Hon'ble Supreme Court directed implementation of slaughter house rules in view of adverse environmental impact of their operation.

12. Section 15 of the NGT Act provides for directions by the Tribunal for protection of environment. Recommendations in the report of expert Committee of MoEF&CC dated 2.5.2017 are for bringing such activities under the EC regime. The activity is classified as red category.

13. In their response, MoEF&CC and CPCB have not disputed impact assessment but stated that the same is taking place while evaluating a construction project. However, we are unable to accept this stand as the said process does not consider impact of slaughter house. This has been noted by the Tribunal vide order dated 19.05.2021 in Appeal No. 11/2021, *Gauri Maulekhi vs. Ministry of Environment Forest and Climate Change & Anr.*, whereby the Tribunal directed that EC in respect of Ghazipur slaughter house in Delhi be revisited so as to study the impact on environment. In the said case, EC had been granted only with reference to parameters for construction projects for which EC was mandatory with size of the project is beyond the threshold limit. In absence of the subject of slaughterhouses being part of EIA Notification, scrutiny prescribed under the EIA Notification is not undertaken.

14. We are, thus, satisfied that MoEF&CC needs to take a call on the recommendations of the Expert Committee headed by Dr. S.R. Wate in the light of its minutes dated 02.05.2017 within two months from today. Any stakeholders interested on the issue will be free to represent their viewpoint to the Secretary, MoEF&CC within two weeks from today.

¹ (2014) 2 SCC 417

15. We further direct that **if no decision is taken by MoEF&CC within two months as directed above, the requirement for EC will apply to all large slaughter houses as per classification in the ‘Revised Comprehensive Industry Document on Slaughter Houses’ i.e. “Large: More than 200 large animal i.e. bovines per day, or more than 1000 small animal i.e. goat and sheep per day (any day in a week)” with effect from 01.08.2023.** Thereafter, no ‘Large’ slaughter house can be established or expanded without EIA as per procedure applicable to B category project in terms of EIA Notification dated 14.9.2006. This direction is being issued under Section 15 of the NGT Act. The Tribunal may consider such directions in respect of medium slaughter houses on the next date.

16. An action taken report may be filed by the MoEF&CC by 31.08.2023 by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

17. **IA No. 38/2023** filed by All India Jamiatul Quresh Action Committee for impleadment mentions that poultry is fact growing segment of agricultural sector in India which provides livelihood and employment to some people. Since stand in the IA does not obviate need for environmental regulation of polluting activities, the same is dismissed.

List for further consideration on 14.09.2023.

A copy of this order be forwarded to Secretary, MoEF&CC, CPCB and all State PCBs/PCCs by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

May 3, 2023
Original Application No.879/2022
I.A. No. 38/2023
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