

**REPORT OF THE JOINT COMMITTEE IN COMPLIANCE WITH THE ORDER DATED 11.01.2022 OF THE HON'BLE NATIONAL GREEN TRIBUNAL (NGT), IN THE MATTER OF ORIGINAL APPLICATION NO. 102 OF 2021 (TANAJI RUIKAR VERSUS KOLHAPUR MUNICIPAL CORPORATION & ORS.)**

**1.0 Background**

Grievance in the Original Application No. 102 of 2021 (WZ), titled Tanaji Ruikar Vs. Kolhapur Municipal Corporation & Ors. as per order dated 11/01/2022 is about operation of slaughter house at R.S. No. 46/4 K, Bapat Camp, Opposite Shri Shahu Market Yard, E-Ward, Taluka Karveer, Kolhapur, Maharashtra, without obtaining any valid Consent to Operate from Maharashtra Pollution Control Board (MPCB) and Environmental rules related to air, water and discharging effluents into the ground water, drains, rivers and extracting ground water without any lawful authority and in violation of guidelines issued by the Central Pollution Control Board (copy of Hon'ble NGT Order, dated 11/01/2022 is given at **Annexure-I**) and relevant Order is reproduced as below:

*"7... We deem it just and proper to call a report on the matter in issue in present application, from a Joint Committee consisting of:-*

- (i) The District Magistrate/Collector, Kolhapur;*
- (ii) Representative of Central Pollution Control Board;*
- (iii) Representative of Central Ground Water Authority;*
- (iv) Representative of Maharashtra Pollution Control Board.*

*8. The Committee is directed to visit the place and submit a factual and action taken report within four weeks. The State PCB will be the nodal agency for coordination and logistic support.*

*9. The report in the matter be filed by the Committee by e-mail at [ngt-pune@gov.in](mailto:ngt-pune@gov.in) preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF..."*

In compliance with the Hon'ble NGT order dated 11/01/2022, the committee comprising of following officials carried-out inspection of slaughter house operated at R.S. No. 46/4, Bapat Camp, Opposite Shri Shahu Market Yard, E-Ward, Taluka Karveer, Kolhapur, Maharashtra on 25/02/2022:

- i. Shri Rahul Rekhawar, District Collector, Kolhapur
- ii. Shri Nishchal C., Scientist 'D', CPCB, Regional Directorate-Pune
- iii. Shri Sandip Waghmare, Sc. 'B', Central Ground Water Authority
- iv. Shri Ravindra Andhale, Regional Officer, MPCB-Kolhapur

The committee gathered information given by the Kolhapur Municipal Corporation (KMC) during the said visit and subsequent information provided by KMC vide email



communications dated 10/03/2022, 22/03/2022 and 28/03/2022. Dr. Vijay Patil, Veterinary, Doctor-Kolhapur Municipal Corporation, was present and provided the visit coordination.

This report is outcome containing factual and action taken report of the said joint committee based on the inspection of the joint committee and information given by the KMC, MPCB and subsequent discussions of the joint committee.

### **About the slaughter house**

The slaughter house is located at R.S. No. 46/4, Bapat Camp, Opposite Shri Shahu Market Yard, E-Ward, Taluka Karveer, Kolhapur, Maharashtra, within the Kolhapur municipal jurisdiction and operated by the Kolhapur Municipal Corporation. As per the information provided by KMC, the slaughter house is operational since 1972, with total land area of 7,230 sq-m where only sheep and goat are slaughtered on daily basis. For slaughtering of animals "Halal" method is adopted. The slaughter house has a provision of lairage with total area of 352.54 sq-m, with total holding capacity of 290 no. of animals. Before slaughtering of animals, ante mortem inspection is carried out by the authorized veterinary doctor of KMC. During which physical examination of animals are conducted which includes monitoring of temperature, heart rate and lymph nodes. During the physical examination if any abnormality is found or the animal is found to be pregnant, in such case the particular animal is rejected from slaughtering. Provision of portable hot water geyser is made for cleaning of slaughtering area. Subsequent to slaughtering, a post mortem inspection is conducted where all the vital organs and body parts of the slaughtered animals are checked by the authorized veterinary doctor of KMC. During post mortem inspection if any organ of the animal is found to be defective/diseased in such case, only the particular defective/diseased organ is rejected whereas rest of the healthy parts of the caracas are sent to respective butcher shops after duly verified, certified & stamped by the authorized veterinary doctor of KMC.

As per the information provided by Health Officer, KMC vide email dated 22/03/2022 about 128 meat shops are operational within KMC jurisdiction. However, out of 128 meat shops only 40-50 meat shops are sending the animals (sheep/goat) for slaughtering at the centralized slaughter house operated by KMC. Copy of list of meat shops operational within the KMC jurisdiction is given at **Annexure-II**.

As per the information provided by Health Officer, KMC monthly animals slaughtered from April, 2019 to March, 2020 varied from 72 to 2,587. Monthly animals slaughtered from April, 2020 to March, 2021 varied from 134 to 954. Similarly, monthly animals slaughtered from April, 2021 to February, 2022 varied from 24 to 172. Copy of monthly animals slaughtered w.e.f. April, 2019 to February, 2022 is given at **Annexure-III**.



### Steps involved in slaughtering of animals

As per the information provided by KMC, following are the steps involved before and after slaughtering of animals:

Animals are kept in Lairage Area → Ante Mortem Inspection → Slaughtering by Halal Method → Removal of the blood from Carcass → Head and Skin Removal → Post Mortem Inspection → Removal of diseased organs if any; → Carcass and Organs transported to meat shop via meat van provided by KMC.

Blood and the skin of the carcass are also given to the individual butchers of meat shops. During the slaughtering of animals, the liquid waste (traces/stains of blood, water from floor washing) and solid waste (rejected organs identified during post mortem stage, intestine of animals) are flushed with water & channelized to common drain and then to the collection tank of the ETP.

### Environmental management system at the slaughter house

#### Water management

Source of water for the slaughter house is through fixed pipeline water supply connection from KMC. Apart from the existing fixed pipeline water supply connection from KMC, the slaughter house has an additional source of water i.e. a bore well connection. Reportedly, the said bore well is not currently in use. The depth of the bore well is 180 ft. As informed by the Health Officer of KMC, NOC has been obtained from Central Ground Water Authority (CGWA) on 24/02/2022 to extract the ground water. Copy of NOC obtained from CGWA is given at **Annexure-IV**.

Water is mainly used for domestic purpose and slaughter house process as a feed water for animals, floor cleaning of slaughter house area, washing of animals after slaughtering. As informed by KMC, on an average the daily consumption of water for domestic activities is about 0.4 m<sup>3</sup>/ day. Besides, the daily average water consumption for the slaughter house process is about 6 m<sup>3</sup>/day.

#### Effluent management

The main sources of effluent generation from the slaughter house are; animal holding area/lairage, abattoir, cleaning internal organs and carcass dressing. The daily effluent generation from slaughter house is about 4.5 to 5.5 m<sup>3</sup>/day. The following Table depicts the sources and type of liquid waste generation from the slaughter house.

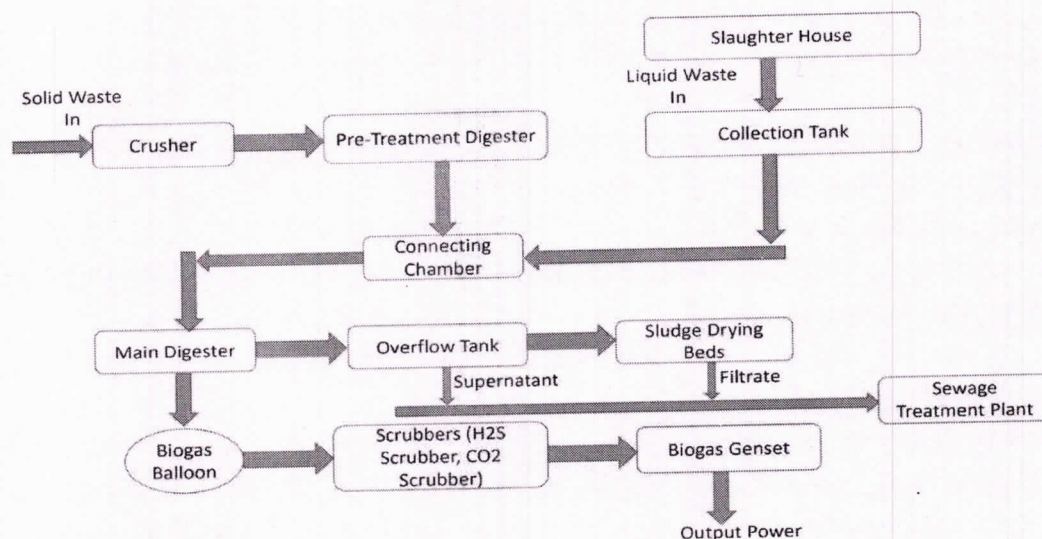
**Table-1: Sources of effluent generation**

S. No	Source	Liquid Waste
1	Animal Holding/Lairage	Floor Washing and Urine
2	Abattoir	Blood, Floor and Machine Washings
3	Cleaning Internal Organs	Wash Liquor
4	Carcass Dressing	Blood, Floor and Machine Washings



Apart from the slaughter house process effluent, the daily average domestic wastewater generation is about 0.3 m<sup>3</sup>/ day, which is treated in a septic tank followed by soak pit.

Effluent from various activities are channelized to a common drain and then to collection tank of the ETP for treatment. The solid waste (Type-I & II) and effluent generated from the slaughter house is treated by using "Nisargruna" Technology (Conventional Biogas Plant) developed by Bhabha Atomic Research Centre. Wastes consisting of rumen and paunch contents/ stomach and intestine contents, dung, agriculture residue (Type-I waste) and fat, defective/diseased organs (Type-II waste) are collected and manually transferred to the shredder, where the size of the solids is reduced. The shredded solid waste is further transferred to pre-digester; where the slurry is formed by adding water and shredded solid waste in the ratio 1:1, the slurry is transferred to the main anaerobic digester along with the liquid effluent generated from the slaughtering process areas for treatment. The steps involved in the Nisargruna Technology are as follows:



Nisargruna technology uses a biphasic process. In the aerobic pre-digester tank, thermophilic bacteria are selectively enriched using hot water (55-65°C). These bacteria degrade waste quickly and generate acidic slurry containing a large amount of organic acids. After pre-digestion, the waste is sent to an anaerobic main digester, where methanogenic bacteria metabolise the organic acids, generating methane. Higher temperature of operation helps in partial hygeinisation of the waste and inactivation of weed seeds. Hot water for the process is obtained using a solar water heater or produced using the biogas generated in the plant. The plant can use recycled water for making waste slurry for the pre-digester.



### Solid waste management

Solid waste generated from slaughter house is classified into following two categories i.e. Type-I Waste and Type- II Waste. Details of Type-I Waste and Type-II Waste are as follows:

Category	Constituents of Waste
Type-I Waste	Vegetable matter such as rumen, stomach and intestine contents, dung, agriculture residues etc.
Type-II Waste	Animal matter such as inedible offals, tissues, meat trimmings, waste and condemned meat, bones etc.

The solid waste generated from Type-I and Type- II (generated occasionally during post mortem inspection) category is collected and manually transferred to the shredder, where the size of the solids is reduced. The shredded solid waste is further transferred to pre-digester; where the slurry is formed by adding water and shredded solid waste in the ratio 1:1, the slurry is transferred to the anaerobic tank. As informed, Type-II waste is not generated at the slaughter house, as the present slaughter house is handling small animals i.e. goat & sheep, where most parts of the caracas is butchered at respective butcher shops and sold to customers. Only, during post mortem inspection if any organ of the animal is found to be defective/diseased in such case the particular organ is rejected and taken for shredding followed by digestion in the biogas plant.

### Observations and findings

Based on the inspection carried-out to assess the various violations mentioned in the aforesaid Hon'ble NGT order, information submitted by the KMC, observations & findings of the joint committee are given as below:

- Slaughter house of KMC is operational since 1972. It is gathered from MPCB that since inception, the slaughter house is operational without valid Consent to Establish & Consent to Operate from Maharashtra Pollution Control Board (MPCB). It is gathered that MPCB has issued closure directions u/s 33A of The Water (Prevention and Control of Pollution) Act, 1974; 31A of The Air (Prevention and Control of Pollution) Act, 1981 to the slaughter house of KMC for operating slaughter house without valid CTO. Copy of closure directions issued by MPCB is given at **Annexure-V**. In compliance to the aforesaid MPCB directions, it is observed that the slaughter house has not closed its operations and water, electricity supply also not disconnected by the concerned authority(s). During joint committee inspection on 25/02/2022 (afternoon), the slaughtering activities were not observed; as informed by the Health officer of KMC, all the slaughtering activities are carried-out during forenoon only.
- As per the information provided by KMC, only goat and sheep are slaughtered in the slaughter house through manual slaughtering. As per the statistics



provided by KMC w.e.f. April, 2019 to February, 2022, the maximum animals slaughtered in a month is 2,587 nos. According to the document prepared by CPCB on "Characterization, Waste Management Practices & Best Available Pollution Control Technologies in Slaughter Houses", 2017 the said slaughter house is categorized as small based on the total no. of animals slaughtered i.e. "Small: Less than 50 large animals i.e. bovines per day, or less than 300 small animals i.e. goat and sheep per day (any day in a week)".

- Out of 128 registered butcher shops within the KMC jurisdiction, only 40-50 butcher shops are sending the animals (goat/sheep) varying from @ 24 – 2,587 nos. per month. It is gathered from KMC that rest of the butcher shops are slaughtering the animals illegally without sending to the centralized slaughter house facility of KMC and selling the meat without duly verified, certified & stamped by the authorized veterinary doctor of KMC.
- The slaughter house has a lairage with reported total holding capacity of 290 animals. On the day of inspection, about 30-35 animals were found kept in the lairage.
- Slaughtered animals (carcass) along with blood are directly given to butcher shops immediately on daily basis hence there was no refrigeration system observed at the slaughter house.
- The ETP comprising biogas plant operates on the principal of "Nisargruna" technology developed by Bhabha Atomic Research Centre (BARC). It mainly consists of primary digester (aerobic) and main anaerobic digester. Reported design capacity of the primary digester is 50 m<sup>3</sup> and the retention period is about 6 days. Similarly, reported design capacity of the main anaerobic digester is 250 m<sup>3</sup> (5 MT/day) and the retention period is about 30 days. Operation & maintenance activities of ETP has been outsourced to M/s Enprotech Solutions, Pune.
- Digested slurry along with the supernatant is drained into sludge drying beds. The filtrate from sludge drying beds is partly reused in slurry preparation to maintain the desired microbial concentration. It is observed that KMC has not provided polishing treatment at the facility for the treatment of excess filtrate and supernatant, instead sending the said streams (i.e. excess filtrate, supernatant) are transferred into mobile sewage vehicle on piece-meal basis for further treatment at Bavda STP, operated by the KMC.
- The dried sludge is collected by KMC and used as a soil conditioner for the gardens located within the KMC jurisdiction.



- As informed the maximum quantity of biogas generation is about 300 m<sup>3</sup>/ day. The gas generated is collected in the floating dome which is further transferred to biogas balloon, after biogas purification through series of H<sub>2</sub>S scrubbers & CO<sub>2</sub> scrubbers, which is used to run Biogas Genset (50 KVA) during breakdown of power. The reported maximum power generation is 450 KWH.
- No log book is maintained to record the operational parameters of the biogas plant w.r.t. feed rate, pH and quantity of filtrate & supernatant disposed for treatment at captive STP and sludge generated & disposed. Also, monitoring devices like flow meter for bio gas and separate energy meter are not installed.
- The slaughter has a bore well connection having depth about 180 ft. and NOC is obtained from CGWA on 24/02/2022 for extraction of ground water.

#### **Approach for damages for contravening mandatory provisions of environmental laws**

In the matter of Civil Appeal NO. 10854 OF 2016; M/s Goel Ganga Developers India Pvt. Ltd. Versus Union of India & Ors. the Hon'ble Supreme Court vide order dated 10/8/2018 upheld Rs. 05 crores on project proponent as levied by the Hon'ble NGT for contravening mandatory provision of Environment Laws and for not obtaining the consent from the Board. Vide para 57 of the said Hon'ble Supreme Court order, it has been directed that *"(...)The project proponent shall also pay a sum of Rs. 5 crores as damages, in addition to the above for contravening mandatory provisions of environmental laws."*

"Report of the CPCB In-house Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund" outlines a formula for imposing environmental compensation on industrial units for violation of directions issued by regulatory bodies listing the instances for taking cognizance of cases fit for violation and levy environmental compensation. The same has also been referred by the Hon'ble NGT in its order (para 14 to 16) dated 28/8/2019 in the matter of Original Application No. 593/2017 titled Paryavaran Suraksha Samiti & Anr. Versus Union of India & Ors. The instances considered for levying Environmental Compensation (EC) in the said report are:

- a) Discharges in violation of consent conditions, mainly prescribed standards / consent limits.
- b) Not complying with the directions issued, such as direction for closure due to non-installation of OCEMS, non-adherence to the action plans submitted etc.
- c) Intentional avoidance of data submission or data manipulation by tampering the Online Continuous Emission / Effluent Monitoring systems.



- d) Accidental discharges lasting for short durations resulting into damage to the environment.
- e) Intentional discharges to the environment - land, water and air resulting into acute injury or damage to the environment.
- f) Injection of treated/partially treated/ untreated effluents to ground water.

Though such listed instances may not be directly applicable in the current matter for arriving at the damages amount for contravening mandatory provisions of environmental laws (w.r.t. establishment of slaughter house without obtaining CTE, continued operation of slaughter house without CTO till date), an attempt is being made by this joint committee to assess the environmental compensation using the formula prescribed in the said CPCB report which may be taken as damages amount for contravening mandatory provisions of environmental laws. The formula takes into account of number of days violation took place, pollution index of unit, scale of operation, location factor based on population and an amount factor in Rupees.

**For illegal operation of slaughter house without obtaining CTE & CTO  
Environmental Compensation (EC) in Rupees as mentioned in the aforesaid  
CPCB report =  $PI \times N \times R \times S \times LF$**

Where,

*EC is Environmental Compensation in Rupees*

*PI = Pollution Index of industrial sector/Project*

*N = Number of days of violation took place*

*R = A factor in Rupees for EC*

*S = Factor for scale of operation*

*LF = Location factor*

***PI = Pollution Index of industrial sector/project***

*Considering the project under Red category as per CPCB modified directions no. B-29012/ESS/(CPA)/2015-16 dated 07/3/2016. Hence, as per aforesaid CPCB report, PI = 80.*

***N = Number of days of violation*** took place for which violation took place is the period between the day of violation observed and the day of compliance verified by CPCB/SPCB.

***R = A factor in Rupees, which*** may be a minimum of 100 and maximum of 500. The aforesaid report also suggests to consider R as 250, as the Environmental Compensation in cases of violation. Hence, R = 250.

***S = Factor for scale of operation.***

*For small S = 0.5, For medium S = 1 and larger unit S = 1.5. As per CPCB document on "Characterization, Waste Management Practices & Best Available Pollution Control Technologies In Slaughter Houses" published vide no. IPC-IV/Project-SH/2017-18, dated 23/10/2017, the scale of operation is categorized as; Small: Less than 50 large animal i.e. bovines per day, or less than 300 small animal i.e. goat and sheep per day (any day in a week). As information provided by Health officer,*



Kolhapur Municipal Corporation, maximum no. of animals (sheep/goat) slaughtered per day is 90. Hence, scale of operation-S is 0.5.

**LF = Location factor.**

It is based on the population of the city/town and location of the industrial unit on the location of the industrial unit. Since the population of Kolhapur is less than one million, LF=1.

Considering reference from Section 15, Sub-Section 3 of The National Green Tribunal Act, 2010 and to limit a period since when default/non-compliance is to be considered for assessing environmental damage and compensation, the period of default/non-compliance has been taken into account in the past five years from the day OA no. 102 of 2021 (WZ) was filed before Hon'ble NGT on 14/12/2021) and till the date of Hon'ble NGT order (i.e. 11/01/2022) viz. 14/12/2016 to 11/01/2022, total number of days violation (N) took place without obtaining mandatory CTE/CTO from MPCB, comes out to be **1,854** days.

Based on consideration of above w.r.t. a), the environmental compensation calculation is depicted as below.

$$EC = PI \times N \times R \times S \times LF$$

PI	N	R	S	LF	EC (in Rs.)
80	<b>1,854</b>	250	0.5	1	<b>1,85,40,000</b>

Based on above, the environmental compensation as damages for contravening provisions under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 i.e. without obtaining CTE & CTO from MPCB is worked-out to be Rs. **1,85,40,000/-** (Rupees One Crore Eighty-Five Lakhs and Forty Thousand Only).

## Conclusions

- The slaughter house of KMC is operational since 1972. As per the latest list of authorized & registered butcher shops provided by KMC that there are about 128 meat shops are operational within KMC jurisdiction. However, out of 128 registered butcher shops, only 40-50 butcher shops are sending their animals (sheep/goat) varying from @ 24 – 2,587 nos. per month for slaughtering at the centralized slaughter house facility operated by KMC. Rest of the butcher shops are slaughtering the animals illegally without sending to the centralized slaughter house facility of KMC and selling the meat for human consumption without duly verified, certified & stamped by the authorized veterinary doctor of KMC.
- As per the information provided by KMC vide email communication dated 10/03/2022 (Copy of email communication dated 10/03/2022 from the Deputy Commissioner-1, KMC mentioning the relevant extracts of provisions of Act is



given at **Annexure-VI**) that the local authority i.e. KMC erstwhile discharging the functions as per the provisions of The Prevention of food Adulteration Act 1954. However, after the introduction of Food Safety and Standards Act, 2006; the local authority i.e. KMC has not been vested with powers to enforce the provisions of the Food Safety and Standards Act, 2006. Hence, communicated before the joint committee that the local authority i.e. KMC is unable to take action/cancel the license of the butcher shops, not sending the animals for slaughtering at the centralized facility and also unable to take action/cancel the license of the butcher shops, selling the meat without the duly verified, certified & stamped by the authorized veterinary doctor of KMC.

- iii. The solid wastes (Type-I & II) and liquid waste is being treated together at the ETP comprising of biogas plant of reported design capacity of 250 m<sup>3</sup>. The biogas generated is used to run Biogas Genset (50 KVA) during breakdown of power. KMC has not provided polishing treatment for the treatment of excess filtrate and supernatant, instead the said streams (i.e. excess filtrate, supernatant) are transferred into mobile sewage vehicle on piece-meal basis for further treatment at Bavda STP, operated by the KMC. No log book is maintained to record the operational parameters of the biogas plant w.r.t. feed rate, pH and quantity of filtrate & supernatant disposed for treatment at captive STP and sludge generated, disposed. Also, monitoring devices like flow meter for bio gas and separate energy meter are not installed.
- iv. Slaughter house of KMC has obtained NOC from CGWA on 24/02/2022 for extraction of ground water. As per the application submitted by KMC that the said slaughter house comes under Micro and Small Enterprises category, as the ground water withdrawal is less than 2 m<sup>3</sup>/ day. Further, as per S.O. 3289(E) dated 24/09/2020 by Department of Water Resources, River Development and Ganga Rejuvenation, guidelines to regulate and control ground water extraction in India, 2020; Micro and Small Enterprises drawing ground water less than 10 cum/day are exempted. Hence, the said slaughter house is now exempted from seeking NOC. However, the said slaughter house shall install digital water flow meter at ground water abstraction structure (1 existing Bore well located in the premises) and to maintain the log book.
- v. The slaughter house of KMC is operational without valid Consent to Establish & Consent to Operate from Maharashtra Pollution Control Board (MPCB) since its inception from 1972. Only sheep/goat are slaughtered in the slaughter house through manual slaughtering.
- vi. Environmental compensation as damages for contravening provisions under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 i.e. without obtaining CTE &



CTO from MPCB is worked-out to be Rs. **1,85,40,000/-** (Rupees One Crore Eighty-Five Lakhs and Forty Thousand Only).

Some of the photographs taken during the joint committee inspection is given at **Annexure-VII.**

## 6.0 Recommendations

(a) The Food and Drug Administration Department and The Kolhapur Municipal Corporation may jointly co-ordinate and immediately resolve the issue pertaining to delegation of powers of Food Inspectors/Local authority of KMC under the chairmanship of the District Collector, Kolhapur and illegal butcher shops be closed immediately and also be ensured that such closed or other illegal butcher shops do not come up again unless with compliances required provisions under Food Safety and Standards Act, 2006 in co-ordination by both i.e. KMC and Food and Drug Administration Maharashtra. Also, it shall be ensured that no meat should be sold in the market for human consumption without the duly verification, certification & stamping by the authorized veterinary doctor of KMC.

(b) For contravening provisions under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981

In view of the aforesaid violations of:

Not possessing valid CTE/CTO from MPCB as required under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981;

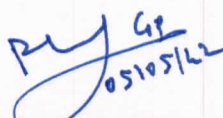
Rs. 05 Crore **OR** Rs. 1,85,40,000/- (Rupees One Crore Eighty-Five Lakhs and Forty Thousand Only), as derived under para 4.0 of this report, as deemed fit by the Hon'ble NGT, may be considered as environmental compensation including damages for contravening provisions under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981.

(c) KMC to:


- i. obtain CTE & CTO from MPCB and operate the slaughter house facility only on possession with valid CTE & CTO. Till the same is granted, the slaughter house shall be closed immediately by MPCB following due procedure. It is gathered that MPCB has issued closure directions u/s 33A of the Water (Prevention and Control of Pollution) Act, 1974; 31A of the Air (Prevention and Control of Pollution) Act, 1981 to the slaughter house of KMC and MPCB should ensure the compliance of closure directions.




- ii. provide adequate treatment system at the ETP for treatment of excess filtrate and supernatant as per conditions stipulated under CTO by MPCB, instead of disposing to the STP operated by KMC.
- iii. maintain a logbook to record the daily operational parameters of biogas plant and to install flow meter to record bio gas flow rate, Genset operational hours, electromagnetic flow meter at inlet & final outlet of ETP and separate energy meter for ETP. The details of such operational parameters of biogas plant and ETP should be entered, duly verified by the authorized official of KMC.
- iv. install digital water flow meter at ground water abstraction structure and to maintain the log book.



**Rahul Rekharwar**  
District Collector,  
Kolhapur



**Nishchal C.**  
Scientist 'D'  
CPCB, RD – Pune



**Sandip Waghmare**  
Scientist 'B'  
CGWA – Pune



**Ravindra Andhale**  
Regional Officer  
MPCB – Kolhapur

\*\*\*\*\*



Item No. 02

(Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE**

(By Video Conferencing)

Original Application No.102/2021(WZ)

Tanaji Ruikar

Applicant(s)

Versus

Kolhapur Municipal Corporation &amp; Ors.

Respondent(s)

Date of hearing: 11.01.2022.

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER  
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

Applicant(s): Mr. Omkar Wangikar, Advocate

**ORDER**

1. The issue raised in this application is operation of slaughter house at R. S. No. 46/4K, Bapat Camp, Opposite Shri Shahu Market Yard, E-Ward, Taluka Karveer, Kolhapur without obtaining any valid Consent to Operate from Maharashtra Pollution Control Board (MPCB) and Environmental rules related to air, water and discharging effluents into the ground water, drains, rivers and extracting ground water without any lawful authority and in violation of guidelines issued by the Central Pollution Control Board (CPCB)
2. A substantial question of environment has been raised in this application.
3. Issue notice to the Respondents. Returnable within four weeks.
4. Applicant is directed to provide copy of the application and relevant documents to the respondents within a week.
5. Respondents are directed to submit their reply within six weeks.



6. Applicant is also directed to take necessary steps for service to the respondents by both ways and also on available email.

7. We deem it just and proper to call a report on the matter in issue in present application, from a Joint Committee consisting of:-

- (i) The District Magistrate/Collector, Kolhapur;
- (ii) Representative of Central Pollution Control Board;
- (iii) Representative of Central Ground Water Authority;
- (iv) Representative of Maharashtra Pollution Control Board.

8. The Committee is directed to visit the place and submit a factual and action taken report within four weeks. The State PCB will be the nodal agency for coordination and logistic support.

9. The report in the matter be filed by the Committee by e-mail at [ngt-pune@gov.in](mailto:ngt-pune@gov.in) preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

10. Applicant is directed to supply the required documents and copy of the application to the members of the Committee within a week.

11. Put up with the report on 11.03.2022.

Sheo Kumar Singh, JM

Dr. Arun Kumar Verma, EM

January 11, 2022  
Original Application No.102/2021(WZ)

JG





**185**  
**Kolhapur Municipal Corporation**

Annexure-II

**Slaughter House Bapat Camp**

Sr. No.	Shop Name
1	Yuraj Motten Shop (Jadhavwadi)
2	Pradeep Kotmire (Kadamwadi)
3	Akasha Motten Shop (Kadamwadi)
4	Deepak Ghotane Motten Shop (Koparde Panand)
5	Aapla Motten Shop (Mukt Sainik)
6	R S Motten Shop (Mukt Sainik)
7	Jaydeep Motten Shop (Mahadik Mal)
8	Ustad Motten Shop (Uddanpul)
9	Raj Motten Shop (Lisha Hotel Road)
10	Shakil Motten Shop (Lisha Hotel Road)
11	Mohan Gholape (k Bawada)
12	Sikandar Motten Shop (Patil Galli Bawada)
13	Manoj Bhopale Motten Shop (Bawada Market)
14	Vivek Bhopale Motten Shop (Line Bazar)
15	Suraj Motten Shop (K. Bawada)
16	Sachin Motten Shop (K Bawada near Shahu Colony)
17	Master Motten Shop (Rajaramपुरी Market)
18	Master Motten Shop (Rajaramपुरी Market)
19	Ingavle Motten Shop (Rajaramपुरी Market)
20	Ingavle Motten Shop (Rajaramपुरी Market)
21	Pranav Motten Shop (Rajaramपुरी Mauli Putala)
22	Suresh Motten Shop (Rajaramपुरी Mauli Putala)
23	Shankar Palange (Mitra Prem Rajaramपुरी)
24	Dashrath Motten Shop (Mitra Prem Rajaramपुरी)
25	Sanyukt Motten Shop (Daulatnagar Rajaramपुरी)
26	Ashok Motten Shop (Daulatnagar Rajaramपुरी)
27	Jay Kissan Motten Shop (Daulatnagar Rajaramपुरी)
28	Mahadev Motten Shop (Daulatnagar Rajaramपुरी)
29	National Motten Shop (Shahunagar )
30	Famous Motten Shop (near 9 No School)
31	Nilam Motten Shop (Shahunagar market )
32	Mahalaxmi Motten Shop (Shastrinagar)
33	Aslam Motten Shop (Subhash Nagar)
34	Irfan Motten Shop (Subhash Nagar)
35	Sahil Motten Shop (Ramanand Nagar) . .
36	Dilawar Motten Shop (Subhash Nagar)
37	Nawab Motten Shop (Jawahar Nagar)
38	Bharat Motten Shop (Jawahar Nagar)
39	National Motten Shop (Jawahar Nagar)
40	Mijan Motten Shop (Subhash Nagar)
41	Ingavle Motten Shop (Shubhash Nagar)
42	Akashay Motten Shop (Kalamba Jail)
43	Karveer Motten Shop (Kalamba)
44	Vidya Kshirsagar (Sambhaji nagar)
45	Balaji Motten Shop (Sambhaji Nagar)
46	Vinayak Ingavale (Irani Khan)



47	Jantashray Motten Shop (Nikam Park)
48	Mama Ghoadake Motten Shop (Vijay Nagar)
49	New Delux Motten Shop (Nangiwali Chowk)
50	Karveer Motten Shop (Nangiwali Chowk)
51	Jantashray Motten Shop (Nangiwali Chowk)
52	Sunil Landage (Sambhaji Nagar)
53	Karveer (Timber Market Kaman)
54	Balwant Motten Shop (Timber Market Kaman)
55	Firangai Motten Shop (Soft Corner Firangai Hosp.)
56	Maharashtra Motten Shop (Soft Corner Firangai Hosp.)
57	Salgar Motten Shop (Irani Khan)
58	Karveer Motten Shop (Sane Guruji)
59	Vijay Motten Shop (Sane Guruji)
60	Siddhi Motten Shop (Sane Guruji)
61	Ranjeet Motten Shop (Sane Guruji)
62	Sagar Gaikwad (New Vashi naka)
63	Ashirwad Motten Shop (Bondre nagar Ring road)
64	Umesh Bhopale (Bondre nagar Ring road)
65	Gavrav Motten Shop (Bondre nagar Ring road)
66	Rahul Motten Shop (Krantisinha nana patil nagar)
67	Landage Motten Shop (Near Bondre nagar Petrol Pump)
68	Shubham Motten Shop (Bondre nagar)
69	Parvati Motten Shop (Phulewadi)
70	Birdev Motten Shop (Phulewadi)
71	Phulewadi Motten Shop (Phulewadi)
72	Ashok Jadhav (Lakshtirtha vasahat)
73	Maharashtra Motten Shop (Lakshatirtha Vasahat)
74	Rankala Motten Shop (Rankala Tower)
75	Tower Motten Shop (Rankala Tower)
76	Sattar Khatik (Shivaji Peth)
77	The Great Maratha Motten Shop (Gandhi Maidan)
78	Gulab Khatik (Gandhi Maidan)
79	India Motten Shop (Nivrutti Chowk)
80	Shivaji Ingavle Motten Shop (Dhotri)
81	Kiran Kotmire (Dhotri)
82	Abhishek Motten Shop (Madhya Dhotri)
83	Abhishek Motten Shop (Rege Tikati)
84	Datta Kamble (Maskuti Talav)
85	Sadanand Ghotane (Panchaganga Hospital)
86	Manohar Bhopale (Shahu Udyan)
87	Aska Motten Shop (Toraskar Chowk Solder Group)
88	Mehboob Khatik (Bhagat Sing Tarun Mandal Toraskar Chowk)
89	Sachin Ghotane (Sidharth Nagar)
90	Dilip Kamble Mooten Shop (Sharda Café)
91	Kaka Motten Shop (Mule Vihir)
92	Bhopale Motten Shop (Mule Vihir)
93	Govind Motten Shop (Mule Vihir)
94	Firoj Motten Shop (Gawat Mandai)
95	Chandrakant Ghotane (Udyam Nagar)
96	Padmawati Motten Shop (Pratice Club)
97	Belbag Motten Shop (Belbag)
98	Kasbag Motten Shop (Khasbag)



99	Firoj Motten Shop (ravivar Peth)
100	Ganni Khatik (Subhash Store)
101	Firoj Motten Shop (Swastik Hotel Samor)
102	Babaso Ingavle (Near Irvin Christian)
103	Shabbir Khatik (Genral Motten Market)
104	Diawar Khatik (Genral Motten Market)
105	Balkrushna Ghotane (Genral Motten Market)
106	Anandi Inagavale (Genral Motten Market)
107	Arvind Ghotane (Genral Motten Market)
108	Appaso Prabahavalkar (Genral Motten Market)
109	Umesh Pusawale (Genral Motten Market)
110	Shankar Palange (Genral Motten Market)
111	Gani Khatik (Genral Motten Market)
112	Mahadev Bhopale (Genral Motten Market)
113	Rahim Khatik (Genral Motten Market)
114	Dattu Ghotane (Genral Motten Market)
115	Raju Ingawale (Genral Motten Market)
116	Vilas Ghotane (Genral Motten Market)
117	Iqbal Choudhari (Genral Motten Market)
118	Laxman Kamble (Genral Motten Market)
119	Balaji Motten Shop (Kasab Masjid)
120	Afrosh Motten Shop (Kasab Masjid)
121	Ustad Motten Shop (Kasab Masjid)
122	Raju Motten Shop (New Shahupuri)
123	National Motten Shop (New Shahupuri)
124	Mussa Motten Shop (Sadar Bazar)
125	Janta Motten Shop (Sadar Bazar)
126	Dilawar Motten Shop (Sadar Bazar)
127	Ahar Motten Shop (Raman mala)
128	Wastad Motten Shop (Raman Mala)

उपायुक्त  
कोल्हापूर महानगरपालिका



# Kolhapur Municipal Corporation

Slaughter House Bapat Camp

Animal Slaughtered Month Wise Details from  
April 19 to Mar -2020

Sr. No.	Month	Number of Animals Slaughter
1	April	258
2	may	274
3	june	355
4	July	447
5	August	72 Due to Flood
6	September	160
7	October	420
8	November	236
9	December	572
10	January	849
11	February	1148
12	March	2587
Total		7378

CST मंत्री कोलेका  
पदावली रुका  
22-3-12


आरोग्याधिकारी

कोल्हापूर महानगरपालिका.

*Pal*  
D.S. II

22/3/2020



 <b>Kolhapur Municipal Corporation</b>		
Slaughter House Bapat Camp		
Animal Slaughtered Month Wise Details from <u>April 20 to Mar -2021</u>		
Sr. No.	Month	Number of Animals Slaughter
1	April	775
2	may	954
3	june	487
4	July	370
5	August	134
6	September	286
7	October	294
8	November	450
9	December	611
10	January	544
11	February	366
12	March	329
Total		5600

CST मॉनि केलेला  
 ५५ तपस्वी ३५६  
 आरोग्याधिकारी  
 कोल्हापूर महानगरपालिका  
 22/3/20



# Kolhapur Municipal Corporation

Post Box No. 33, Pin Code No. 416 002

Phone No. P.B.X. Board 2540290 To 2540299

Fax No. 91-0231-2541830, E-Mail : swm@kolhapurcorporation.gov.in

Date : 28/02/2022

Slaughter House Bapat Camp		
Animal Slaughtered Month Wise Details from <u>April 21 to Feb -2022</u>		
Sr. No.	Month	Number of Animals Slaughter
1	April	74
2	may	Closed Due To Covid 19
3	june	Closed Due To Covid 19
4	July	Closed Due To Covid 19
5	August	Closed Due To Covid 19
6	September	70
7	October	54
8	November	172
9	December	24
10	January	108
11	February	46
Total		548

  
Dy. Commissioner (1)

Kolhapur Municipal Corporation





भारत सरकार  
जल शक्ति मंत्रालय  
जल संसाधन, नदी विकास  
और गंगा संरक्षण विभाग  
केन्द्रीय भूमि जल प्राधिकरण  
Government of India  
Ministry of Jal Shakti  
Department of Water Resources,  
River Development & Ganga Rejuvenation  
Central Ground Water Authority

(भूजल निकासी हेतु छूट प्रमाण पत्र)  
**Certificate of Exemption for Ground Water Withdrawal**

Project Name:	Kolhapur Municipal Corporation Slaughter House		
Project Address:	R.s. No. 46/4 K, Bapat Camp, E Ward		
Town:	Kolhapur (m Corp.)	Block:	Karveer
District:	Kolhapur	State:	Maharashtra
Pin Code:			
Communication Address:	Kolhapur Municipal Corporation Main Building, C Ward, Shivaji Chauk, Karveer, Kolhapur, Maharashtra - 416002		
Address of CGWB Regional Office :	Central Ground Water Board Central Region, N.s. Building, Civil Lines, Nagpur, Maharashtra - 440001		

1. Application No.:	21-4/7679/MH/IND/2022	2. Category: (GWRE 2020)	Safe
3. Project Status:	Existing Project	4. Valid From	24/02/2022
5. Ground Water Abstraction Permitted:			

Fresh Water		Saline Water		Dewatering		Total	
m <sup>3</sup> /day	m <sup>3</sup> /year	m <sup>3</sup> /day	m <sup>3</sup> /year	m <sup>3</sup> /day	m <sup>3</sup> /year	m <sup>3</sup> /day	m <sup>3</sup> /year
2.00							

This is to certify that as per information furnished by the applicant, M/s KOLHAPUR MUNICIPAL CORPORATION SLAUGHTER HOUSE comes under Micro and Small Enterprises category and has ground water withdrawal of less than 10 cum/day. As per S.O. 3289(E) dated 24/09/2020 by Department Of Water Resources, River Development and Ganga Rejuvenation, guidelines to regulate and control ground water extraction in India, 2020 Micro and small Enterprises drawing ground water less than 10 cum/day are exempted.

The firm is exempted from seeking NOC. The firm shall install digital water flow meter on all ground water abstraction structures and maintain the logbook.

This certificate is system generated and based on information provided by the applicant. CGWA has not verified the claim made by applicant. Any false information furnished/ violation by the applicant, shall invite legal action against him/her as per S.O. 3289(E) dated 24/09/2020.

यह प्रमाणित किया जाता है कि आवेदक द्वारा दी गई सूचना के अनुसार मैसर्स ..... सूक्ष्म और लघु उद्यम श्रेणी के अंतर्गत आता है और इसमें 10 m<sup>3</sup> / दिन से कम भूजल निकासी है। जल संसाधन, नदी विकास और गंगा संरक्षण विभाग द्वारा दिनांक 24.09.2020 के SO 3289 (E) के अनुसार, भारत में भूजल निष्कर्षण को विनियमित और नियंत्रित करने के लिए दिशा-निर्देश, 2020 सूक्ष्म और लघु उद्यमों को 10 m<sup>3</sup>/दिन से कम भूजल खींचने वाले को छूट दी गई है।

फर्म को NOC लेने से छूट दी गई है। फर्म सभी भूजल निष्कर्षण संरचनाओं पर डिजिटल जल प्रवाह मीटर स्थापित करेगी और लॉगबुक बनाए रखेगी।

यह प्रमाण पत्र सिस्टम जनरेटेड है और आवेदक द्वारा प्रदान की गई जानकारी पर आधारित है। CGWA ने आवेदक द्वारा किए गए दावे का सत्यापन नहीं किया है। आवेदक द्वारा दी गई कोई भी गलत सूचना/उल्लंघन, एसओ 3289(ई) दिनांक 24/09/2020 के अनुसार उसके खिलाफ कानूनी कार्रवाई को आमंत्रित करेगा।

This is an auto generated document & need not to be signed.

18/11, जामनगर हाउस, मानसिंह रोड, नई दिल्ली - 110011 / 18/11, Jamnagar House, Mansingh Road, New Delhi-110011

Phone: (011) 23383561 Fax: 23382051, 23386743

Website: cgwa-noc.gov.in

पानी बचाये - जीवन बचाये  
SAVE WATER - SAVE LIFE



**MAHARASHTRA POLLUTION CONTROL BOARD**  
**REGIONAL OFFICE, KOLHAPUR.**

Tel. No. (0231) 2652952,  
 2660448  
 Fax No. (0231) 2652952  
 E-mail:  
[rokolhapur@mpcb.gov.in](mailto:rokolhapur@mpcb.gov.in)



Udyog Bhavan,  
 Near Collector Office,  
 Kolhapur - 416 003.  
 Website: <http://mpcb.mah.nic.in>

No. MPCB/RO/KOP/CD/2112100001

Date: 10.12.2021.

To,  
 The Health Officer, KMC.  
 Kolhapur Municipal Corporation.  
 (M/s. Slaughter House Kolhapur Municipal Corporation.  
 R.S. NO. 46/4K, Bapat Camp, Opp. Shri Shahu Market Yard, E- Ward,  
 Tal. Karveer, Dist. Kolhapur.)

Sub: Closure Direction u/s 33A of Water (Prevention & Control of Pollution) Act, 1974, 31 A of Air (Prevention & Control of Pollution) Act, 1981 and under the Hazardous Waste (M & TM) Rules, 2008 as amended.

- Ref.1. PUBLIC INTEREST LITIGATION 95 OF 2009 of  
 Shree Tapgachiya Atma Kamal Labdhisurisarji Gyanmandir Trust  
 Slaughter House Rules 2011.  
 2. SCN issued on 14.12.2020.  
 3. Complaint received from Shri Tanaji Ruikar by e-mail dtd.30/09/2021  
 4. Visit of Board officials on 08.10.2021.  
 5. Proposal submitted by SRO Kolhapur.  
 6. Approval from Honourable Member Secretary dated 09.02.2021.

**WHEREAS** you are operating your slaughter house activity in 'Pollution Prevention Area' declared under Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (M & TM) Rules, 2008 as amended.

**AND WHEREAS** it was obligatory on your part to obtain valid consent from the Board and to provide adequate water and air pollution control devices, so as to prevent any sort of pollution in the surrounding area and to achieve the standards laid down under the provision of Environment (Protection) Act 1986.

**AND WHEREAS**, this office has issued Show Cause Notice to your unit as per reference No. ( 2). Board Officials of this office also visited your unit on 30.12.2020 and observed that you have failed to comply the same and operating your unit without obtaining valid consent for the slaughtering activity since a long period.

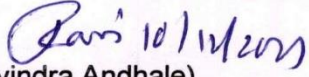
**AND WHEREAS** after examining the record of your case, reports of officers of the Board & making necessary enquiries, I am satisfied that you are causing Environmental Pollution problems in the surrounding area and knowingly & willfully causing grave injury to the environment thereby violating various Environment enactments.

**NOW, THEREFORE** in exercise of the powers conferred upon me under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 & 31A of the Air (Prevention & Control of Pollution) Act, 1981, I, Ravindra Andhale, Regional Officer of the Board at Kolhapur hereby direct you to stop the manufacturing activity forthwith to avoid further damage to the surrounding environment and inform the same to this office immediately. The competent



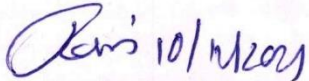
authorities are directed to disconnect the water/electricity supply to your unit immediately, which may please be noted

FOR AND ON BEHALF OF THE BOARD

  
(Ravindra Andhale)  
Regional Officer,  
Maharashtra Pollution Control Board

Copy for information & necessary action:

1. The Executive Engineer, / Superintending Engineer, MSEDCL Ltd. Kolhapur.
2. The Executive Engineer, Irrigation Department. Kolhapur, Dist. Kolhapur
3. The Executive Engineer, Water Supply Department, KMC, Kolhapur.  
- They are directed to disconnect electricity supply/water supply of aforesaid unit immediately till further orders, and report the compliance

  
(Ravindra Andhale)  
Regional Officer,  
Maharashtra Pollution Control Board

Copy submitted for favour of information to:

1. The Member Secretary, M.P.C. Board, Mumbai.
2. Joint Director (WPC), M.P.C. Board, Mumbai.

Copy for information:

Law Officer, M.P.C. Board, Mumbai.

Copy to:

Sub-Regional Officer, M.P.C. Board, Kolhapur.

- He is directed to serve the direction to the industry, M.S.E.D. Co. Ltd. and The Executive Engineer, Irrigation Dept., KMC & keep vigil & report the compliance accordingly.



# Kolhapur Municipal Corporation

Post Box No. 33, Pin Code No. 416 002  
Phone No. P.B.X. Board 2540290 To 2540299  
Fax No. 91-0231-2541830

Health Dept./W.S. No.- 1 / 297  
Date: 28/02/2022

To,  
**The Regional Officer,**  
Maharashtra Pollution Control Board,  
Kolhapur - 416003

**Subject :- Food Adulteration Act 1954.**

Sir,

## Introduction of the Prevention of Food Adulteration Act 1954.

The Parliament has Enacted The Prevention of Food Adulteration Act 1954 and same was brought in force on 29/10/1954.

Under said act section 2 has defined various terms which includes adulterated, food, food (health) authority, local area, local authority. As per the provisions of said Act section 2 (vii) defines "local area" means any area whether urban-rural declared by the Central Government of State Government. The said act more particularly defines under section 2 (viii). The term "local authority" according to the said provisions the local

ROCK)  
33/03/2022  
Shri Jadhav



authority in a local area is a municipality the municipal board or municipal corporation etc.

Thus after perusal of relevant provisions in respect of definitions the local authority for the proper implementation of the act is the local body/local self government.

There are various other authorities and officers appointed under the provisions of the act. Section 9 of said act deals with appointment of food inspectors and section 10 deals with the powers of food inspectors. As per the said provisions a food inspector is empowered to take samples of any article of food from person selling or course of conveying, delivering or preparing to deliver or a consignee. The food inspector is further duty bound to send such samples for analysis to public analyst. Apart from all other powers the food inspector was vested with the power of Police officer for the purpose of ascertaining the true name and residence of the persons from whom a sample is taken. Section 9 of said act imposes certain liabilities upon the food inspector.

Thus after careful perusal of provisions of prevention of food adulteration act 1954 it appears that the local health authority in a concerned local area is responsible for the proper implementation of the provisions of said act.

### **Introduction of Food Safety & Standards Act 2006**

The food safety and standard act 2006 has been introduced by the Central Government and brought in force in 5 August, 2011. It is pertinent to note that section 97 of FSS Act is in respect of repealing and saving clauses. The said section demonstrates that the earlier statute of food adulteration 1954 has been repealed.

In the said act section 3, there are definitions of certain terms provided. As far as license is concerned it is defined that "license" means a license granted under section 31. Now coming to the section 31, it specifically deals with licensing and registration of food business. Sub section 3 of section 31 puts liability upon a person who desires to commence or carry on any food business shall make an application to grant of license to the designated officer. And sub section 4 empowers the designated officer to issue a receipt of application either to grant or refuse to grant license. Thus the designated officer is an authority to grant license for carrying on a food business.

### **Chapter VII is in respect of enforcement of the act.**

Section 29 prescribes the authorities who are responsible for enforcement of the act. Accordingly to sub section 1, the food authority and the state food safety authorities shall be responsible for the enforcement of the act.



Section 30 of the said act deals with the appointment of commissioner of food safety and further the function to be performed by the Commissioner of food safety. Sub section 3 of section 30 gives power to the Commissioner to delegate his powers and functions to any officer subordinate to him.

Section 36 of the said act empowers of the commissioner of food safety to appoint designated officer not below the rank of Sub Divisional Officer to be in-charge of food safety administration. Sub section 3 of section 36 is in respect of functions to be performed by the designated officer. It appears that the designated officer under clauses (a) to (i) of sub section 3 is required to perform functions such as to issue or cancel license, to prohibit, to sell any article of food, to receive report and samples of articles of food, to sanction or launch prosecutions in cases of contraventions investigate any complaint made against the food safety officers.

Section 37 is in respect of appointment of food safety officers and section 38 deals with powers of food safety officers. Section 41 empowers the food safety officers to take search of any place, seize any article or adulterant and shall thereafter inform the designated officer about the action taken by him.

Section 42 of the said act prescribes procedure for launching prosecution. After careful perusal of sub section 5 of section 42 it appears that or communication of Commissioner of food safety the designated officer and the concerned food safety officer is required to launch prosecution before courts having jurisdiction.

Thus in the entire FSS act the officers appointed by either Central Government or The State Government are empowered to perform the functions for proper enforcement of the act. As per as the local authorities are concern very less role is given to it.

### **Conclusion**

As compare to earlier statute i.e. The Prevention of food Adulteration Act 1954. Wherein, most of the function were perform by the local authorities, the new enactment has given no role to play in the enforcement of the FSS Act.

Before the actual implementation of FSS Act the powers to grant or cancel the license was vasted with local authorities. And the power to take appropriate action against the vendor of food business in respect of contravention of the provisions of food adulteration act 1954 vasted with local authorities. It is further pertinent to note that apart from the powers and



functions, the local authority was also held responsible for certain acts.

The record shows that after implementation of FSS Act 2006 Commissioner of the food and drugs administration, Mumbai has issued order dated 25/08/2011 interalia disclosing the names of designated officers and licensing officers for the area of Kolhapur District. From record it further appears that Shri. S. A. Kedar who was earlier appointed as food inspector, is now appointed as food safety officer for certain area of Kolhapur Municipal Corporation. At present the services of Shri. S. A. Kedar is transferred to the state government.

The urban development department State of Maharashtra has issued a letter dated 22/06/2018 addressed to the Commissioner, Municipal Corporation (all). Vide said letter the desk officer of urban development has directed all the addressee is to take appropriate action for effective enforcement of act in respect of their local area.

It is pertinent to note that the desk officer has relied upon a letter dated 08/05/2018 issued by Commissioner food safety food and drug administration state of Maharashtra in the said letter it is specifically maintain that the local self government with the help of food safety officer shall implement the food

safety and implementation of the same within their jurisdiction. Thus from all the above communication it is crystal clear that food safety officers are duty bound to prepare and implement food safety plans for Panchayat and Municipality.

  
**Dy. Commissioner (1)**

Kolhapur Municipal Corporation

**Enclosed-**

- 1) List of Meat Shop having license from Food & Drug Administration.
- 2) Monthly Animal Slaughtered Details.
- 3) Copy of Reply Submitted by Kolhapur Municipal Corporation regarding MPCB closer direction.
- 4) Dimensions of slaughter House Hall and Lairage.
- 5) Effluent generation details along with Biogas plant design.





**Photograph-1:** A view of slaughter house process area for slaughtering animals.



**Photograph-2:** Washing facility for carcasses prior dispatching to butcher shops.



**Photograph-3:** Shredder for handling solid waste (Type-I & II) prior feeding to the biogas plant.



**Photograph-4:** A view of the 250 m<sup>3</sup> biogas plant for handling solid waste & liquid waste.



Contd./-



**Photograph-5: Sludge drying beds.**



**Photograph-6: DG set connected with biogas plant for source of electricity.**



**Photograph-7: Scrubbers installed for purification of biogas, prior to feeding for DG set.**



**Photograph-8: A view of bore well installed adjacent to the slaughter house process area.**