

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

Original Application No.324/2015
(M.A. No. 184/2016 & 467/2016)

With

Original Application No. 85/2016
(M.A. No. 436/2016, I.A. No. 240/2019 & 241/2019)

Jubair & Ors.

Applicant(s)

Versus

State of Uttar Pradesh &Ors.

Respondent(s)

And

Irfan Aleem

Applicant(s)

Versus

Meem Agro Foods Pvt. Ltd. & Ors.

Respondent(s)

Date of hearing: 03.05.2019

CORAM:

HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER

For Applicant(s)

Mr. Mukul Singh, Advocate
(O.A. 324/15)

For Respondent(s)

Mr. S.P. Singh, Senior Advocate
with Mr. Raunak Parekh,
Advocate for R-5(O.A.324/2015)
& R-1 (O.A. 85/2016)

Mr. Shashank Saxena and Mr.
Amritesh Raj, Advocates on
behalf of Mr. Ardhendumauli
Kumar Prasad, Advocate for
CGWA

Mr. Suraj Singh, Advocate for Mr.
Pradeep Misra, Advocate for
UPPCB

Mr. Rohit Pratap Singh, Advocate
for Mr. Amit Tiwari, Advocate for
State of UP

Mr. Raj Kumar, Advocate for
CPCB

Mr. Dhruv Pal and Mr. Himanshu Pal, Advocates for MoEF& CC
Ms. Sashi Juneja, Advocate for Nagar Palika Parishad

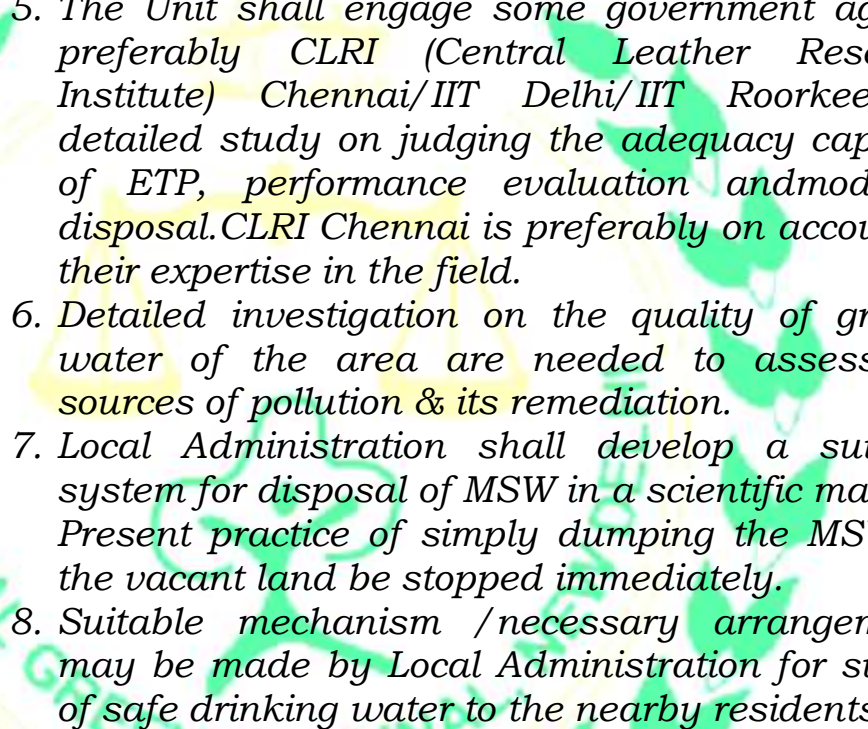
ORDER

Original Application Nos. 324/2015 and 85/2016

Both these original applications have been filed by different individuals but relate to the same unit i.e. Meem Agro Foods Pvt. Ltd. in District Shamli, State of UP.

The primary grievance raised by the applicants is in respect of the working of a slaughter house by the company. Accordingly, it has been prayed that keeping in view the right of the inhabitants of the area directions be issued to immediately seal the unit or shift the factory to other area. It has also been prayed that the respondent be directed to pay environmental compensation to the residents of Kairana.

In order to resolve the issue raised herein as there were conflicting stands taken by both the sides in respect of the actual position of the site, we had ordered for joint inspection on 15.06.2017 in original application no. 85/2016. The said joint inspection was ordered to be conducted by the officers from Uttar Pradesh Pollution Board and Central Pollution Control Board. In compliance thereof the industry was inspected on 28.06.2018. After inspecting the unit and recording overall observations the Committee made the following recommendations:

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1. Although, the unit has installed necessary infrastructure for slaughtering and production of bone less meat, tallow, bone-meat meal and blood meal but it has very limited space to carry-out the consented activities i.e. slaughter of 600 big animals/day. All the sections of the Unit including ETP appear as compromised. The consented/licensed production capacity may be curtailed to the tune of 300 animals/per day. Further, in future, permission for expansion should not be granted in any case.
 2. Existing ingesta drying machine may be replaced with advance one with arrangement for drying with steam.
 3. A dedicated space for proper storage/preservation of hides may be provided.
 4. DAF unit of ETP may be made operational.
 5. The Unit shall engage some government agency preferably CLRI (Central Leather Research Institute) Chennai/IIT Delhi/IIT Roorkee for detailed study on judging the adequacy capacity of ETP, performance evaluation and mode of disposal. CLRI Chennai is preferably on account of their expertise in the field.
 6. Detailed investigation on the quality of ground water of the area are needed to assess the sources of pollution & its remediation.
 7. Local Administration shall develop a suitable system for disposal of MSW in a scientific manner. Present practice of simply dumping the MSW on the vacant land be stopped immediately.
 8. Suitable mechanism /necessary arrangements may be made by Local Administration for supply of safe drinking water to the nearby residents.”

Thereafter, the respondent unit was directed to file a reply affidavit to the joint inspection report and further steps taken to remove the deficiencies as recommended in the joint inspection report. An affidavit has been filed on 14.09.2018. Thereafter a compliance affidavit was filed in tabular form on 29.04.2019.

After having heard the Learned Counsels for the parties extensively and after giving our thoughtful

consideration to the pleadings and material on record placed by both the side and the joint inspection report of which respondent unit has filed affidavit, following directions are issued to the respondent unit:

1. That the total production and slaughtering capacity of the present unit shall not exceed 300 animals per day.
2. That the respondent unit shall not extract ground water till they obtain appropriate permission from the Central Ground Water Authority. As we have been informed that an application in this regard is already pending, if it is so, then CGWA shall decide the same within 15 days. In case the application filed earlier has been decided by the authority for any reason including not removing the deficiency then the respondent shall file a fresh application within one week, giving all the details and the requisites documents. Thereafter the CGWA shall decide their application within 15 days from receipt of the application by the respondent unit. The borewell of the respondent unit already sealed shall remain sealed till the application is decided by the CGWA.
3. The CGWA while considering the application for extraction of ground water, shall also assess the environmental compensation to be charged for

unauthorized extraction of ground water by the unit till now.

4. We direct the Central Pollution Control Board to have further joint inspection conducted of the respondent unit after a period of one month after its operation.

The office is directed that as and when the joint inspection report is received from the CPCB the same shall be registered separately and list before the Court.

With the aforesaid observations/directions both these applications (324/2015 and 85/2016) stand disposed of, with no order as to cost.

M.A. Nos. 184/2016, 467/2016, 436/2016, I.A. Nos. 240/2019 & 241/2019

These applications do not survive for consideration as the main applications itself stand disposed of.

M.A. Nos. 184/2016, 467/2016, 436/2016, I.A. Nos. 240/2019 & 241/2019 are disposed of accordingly.

Raghuvendra S. Rathore, JM

Dr.Satyawan Singh Garbyal, EM

May 03, 2019
JG