

**BEFORE THE NATIONAL GREEN TRIBUNAL  
(WESTERN ZONE) BENCH, PUNE  
Application No. 21/2013 (WZ)**

**CORAM:**

**Hon'ble Mr. Justice V.R. Kingaonkar  
(Judicial Member)**

**Hon'ble Dr. Ajay.A.Deshpande  
(Expert Member)**

**B E T W E E N:**

**Akhil Bharat Goseva Sangh( Mumbai)  
( Public Trust Regd. No. F/2563)  
B-2/104,Vaibhav Jambli Galli, Borivili  
(West) Mumbai 400 092**

**.....Appellant**

**A N D**

- 1. Maharashtra Pollution Control Board,  
Through its Member Secretary,  
Kalpataru Point, Sion, Mumbai 400 022.**
- 2. The Brihanmumbai Municipal Corporation,  
Through its Commissioner, Mahapalika  
Bhavan, Mahapalika Marg, Mumbai 400 001  
...Respondents**

**For Applicant : Mr R.K.Joshi Secretary.**  
**Counsel for Respondet no 1: Mr D.M.Gupte Advocate  
and Ms Dangre Advocate.**  
**Counsel for Respondent No. 2 : Dr Deepak Rodge Adv i/by  
Mr Sameer Khale  
and Mr Rahul Garg Adv.**

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**DATE : 29<sup>th</sup> November, 2013**

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## **J U D G M E N T**

1. By this application, the Applicant has sought revocation of consent granted by Respondent no.1 (MPCB) to Slaughter House (Deonar Abattoir) run by Respondent no. 2 (Brihanmumbai Municipal Corporation). The Applicant further has sought direction to close the Deonar Abattoir until compliances of mandatory requirements. The Applicant further seeks direction that the Respondent no. 1 shall discontinue practice of obtaining Bank guarantee in respect of consent for slaughter houses for compliance of the conditions prior to commencement of the slaughtering activities.

2. The Applicant is a Registered Trust established in 1930. The Applicant claims that object of its organization is to save the live stock of the country. The Applicant is concerned with irregular trading in slaughter houses, particularly illegal slaughtering of healthy and useful animals like cows, buffaloes etc.

3. Brihanmumbai Municipal Corporation (Respondent no. 2 ) established Deonar abattoir somewhere in 1971-1972. It is a mega slaughter house in Asia where large number of animals including cattle, cows etc are slaughtered. The slaughtered animals are brought to the abattoir from various parts of the State and other parts of the country. A huge quantity of meat is exported from the

slaughter house. The slaughtering house is run in accordance with certain conditions imposed by MPCB (Respondent no.1). The MPCB has renewed the consent to operate on 5.7.2013 extending the period for operation up to 31.10.2015. The MPCB has stipulated one of the conditions as furnishing of Bank guarantees to the tune of Rs 5 lacs each for compliance of certain mandatory requirements. These conditions are incorporated in the consent letter including setting up and commissioning of rendering plant and Biomethanation plant.

4. According to the Applicant, obtaining of Bank guarantees will not serve the purpose. For, in case of failure to comply the guarantees furnished by Brihanmumbai Municipal Corporation those may be invoked and the public money will be exchanged from one arm of the semi Government to another arm of the Government. Thus, those who commit the non compliance will go scot free. Thus, the public money will be unnecessarily spent without any penalty imposed on the defaulting officials or those who commit the environmental damage. In other words, such practice causes breach of polluters pay principle. The MPCB as a matter of practice overlooks the non-compliance of the conditions imposed while granting consent to run the slaughter houses and thereby the environmental damage is enhanced. The MPCB is, therefore, required to ensure that the compliances are duly made by the Deonar Abattoir. The

absence of rendering plant and biomethanation plant in the Deonar Abattoir since 1986 has resulted in generating huge sewage, great degree of air and water pollution, Resultantly the population living around vicinity of the slaughter house is suffering from ill effects of the air and water pollution. The adverse impact of air and water pollution has resulted in to various health problems in the nearby area of Deonar Abattoir. The Respondents have failed to take cognizance of the numerous complaints made by the Applicant and others to remove the deficiencies. The Applicant, therefore, sought closure of the abattoir and restoration of the environment,

5. The Respondent No.1 (MPCB) resisted the application. According to MPCB, the area of the slaughter house is around 64 acres. The slaughter house has provided separate live stock yards for different kinds of animals. It provides a centralized slaughtering activity for metro city of Mumbai where livestock comprising of sheeps, pigs, buffaloes etc. are brought by trading licensees for slaughtering. The sanctioned production of quantum of meat, beef, pork is to the tune of 3600 MT/M, 2700 MT/M and 360 MT/M respectively. The consent to operate has been granted to the slaughter house (Deonar abattoir) subject to specific terms and conditions in order to ensure pollution prevention and compliance of environmental norms. The slaughter house is required to comply with the conditions which include outer cap on production quantity and generation of trade wastes.

The effluents are to be adequately treated, recycled to maximum extent and balance effluent to be disposed by connecting to the sewerage system provided by MCGM after disinfection. The Respondent no. 2 is under obligation to provide comprehensive treatment system so as to achieve environmental standards. Another condition is that the slaughter house shall adopt solid waste management for processing, utilisation and disposal of solid waste generated from the slaughter house by installation of Biomethanation and rendering plant.

6. According to MPCB, visit to the slaughtering house on 21.10.2013 revealed that mechanized slaughtering house was in dilapidated condition. It was also found that the vegetable waste generated such as rumen, waste from intestinal contents, dung, agricultural residues was being disposed off by deep burial method in a dumping ground instead of biomethanation which was in breach of the consent condition. So also it was found that Deonar slaughtering house failed to install the rendering plant. Thus waste generated like animal matter viz tissues, meat trimmings, condemned meat, bones etc were not being properly disposed off. Waste water generated from slaughtering and washing activities contaminated with blood was found entering in to the storm water drain carrying effluent connected to the ETP. It was noticed that separate pipe lines were necessary for storm water and industrial

waste water. The abattoir had not maintained proper account of by-products generated from the slaughter house such as skin, hides, tallos, guts, hooves, horns hair, as collected under respective trade licences. The MPCB therefore, came out with a case that directions have been issued under section 33A of the Water (P&CP) Act 1974 and section 31A of the Air (P & CP) Act 1981 to the various slaughter house of the Respondent no. 2. The MPCB further submits that the Bank guarantees were obtained in order to ensure compliance of the stipulated conditions enumerated in the consent letter.

7. The Respondent no. 2 resisted the application by filing affidavit-in-reply of the General Manager of Deonar Abattoir. In his affidavit, Shri Pramod Dethe, the General Manager of the abattoir, states that the application is premature and is liable to be dismissed in view of section 14(3) of the NGT Act, 2010. The Respondent no. 2 further alleges that NGT has no jurisdiction to entertain the Application, in as much as the dispute does not fall within the purview of section 14 of the NGT Act. The Respondent no 2 alleges that the consent to operate granted to the slaughter house is legal and valid and due compliances are being made as per the conditions enumerated in consent letter issued by MPCB. It is further alleged that if so required appropriate action would be taken to ensure installation of biomethanation and rendering plant for treatment of type II

waste generated from the abattoir. According to the Respondent no.2, the question of violation of such conditions is yet not finally decided by MPCB and as such it is preposterous to assume that there is non-compliance of conditions by Respondent no.2. In any case, the closure of the abattoir is not called for. It is denied that the practice of obtaining the Bank guarantee for ensuring compliances is illegal and uncalled for. On these premises, the Respondent no. 2 sought dismissal of the Application.

8. Having regard to the rival pleadings of the parties, following issues emerge for deciding the application. They are :

1. Whether the application is barred by Limitation ? Or otherwise falls outside the jurisdiction of this Tribunal in view of section 14 of the NGT Act and as such is liable to be dismissed ?
2. Whether the applicant has made out a acceptable case to hold that the slaughter house ( Deonar Abattoir ) is being run without following valid conditions and therefore, said activity is harmful to the environment and causes degradation of the environment particularly on account of water pollution due to contamination and untreated waste water ?
3. Whether the Respondent no. 2 is liable to pay compensation to the Applicant or the victims of the pollution ? If so to what amount and to what extent ?
4. Whether the practice of seeking Bank guarantees from the slaughter houses run by Municipal council or Municipal Corporations as a condition for the compliances stipulated by the MPCB in consent order is legal and proper ?

9. We have heard learned counsel for the parties. We have carefully gone through the documents placed on record. We may pin point that environment related issues are involved in the application on account of non compliance noticed by the MPCB as reflected from its inspection notes. It is nobody's case that the biomethanation plant and rendering plant have been installed at the work site of the abattoir. The Respondent no. 2, time and again stated that said condition will be duly complied with.

10. Before we proceed to consider the rival contentions, it is significant to note the guidelines issued by the Central Pollution Control Board (CPCB) for management of solid waste in slaughtering houses. A copy of the guidelines is placed on record. It goes to show that the slaughter houses are classified in three categories. The slaughter houses having capacity of live weight killed –over and above 70 tons per day are large, those which have capacity between 15 – 70 tons of live weight killed per day are medium and those having capacity below 70 tons live weight killed are small. Ruminant, stomach and intestinal contents essentially form solid waste. Horn and hooves are generally collected for sale. Some particles left over may be used for manufacturing poultry feed. The solid waste of slaughter house can be composted by stack making in bunkers. The biomethanation plant can be constructed in two ways. The gas is produced in or more bio-digesters and then it can be stored in a



separate gas holder from where it is drawn, as and when required. The other alternative is that the bio-digester and gas holder are built so as to form one single unit. The gas is produced in the lower part of the structure, while the upper tank serves as a gas holder. While the second option is extremely simple and cheap in construction, but it has the disadvantage that gas production is affected during recharge. On the other hand, with a separate gas holder, continuous supply of gas can be assured even when one or more digesters are being charged. It is therefore, more practicable for larger units to have separate gas holders.

11. Type II waste viz inedible offal tissues, meat trimmings, waste and condemned meat and bones can be processed in rendering system. The main constituents of animals matter are fat, water and solids. The objective of rendering process is to physically separate the fat, the water and the solids. Rendering is carried out either in dry rendering or wet rendering plants. In both the processes, large pieces such as head bones etc are reduced in size by shredders or other machinery. Large soft offals are also cut to size before processing. Intestines, stomach and similar soft materials contain manure and therefore, they are opened and cleaned before feeding to rendering plant.

12. The recommendations of the CPCB may be culled out as follows:

Large slaughter houses are mostly in cities located in congested areas. They generate substantial quantity of solid wastes, which have to be processed in environmentally acceptable manner. For the large slaughter houses, biomethanation of type –I waste and rendering for type –II are suggested. Biomethanation requires less space which is advantageous for the slaughter houses with land constraints.

Biomethanation for type I waste and rendering for type II waste should be considered for medium size slaughter houses with an alternative of composting.

13. The above stated norms are the recommended methods for solid waste management for improvement of sanitation in and around slaughter house and it is beneficial to the slaughter houses in long run due to returns on account of recovery and use or sale of secondary by-products. Needless to say, outdated and obsolete method that deal with the solid waste in the slaughtering houses are required to be materially changed, which is more so in a big slaughtering house like Deonar Abattoir. The record shows that Deonar Abattoir is very old and is still in primitive condition so far as the pollution prevention facilities are concerned. To ensure compliances of the conditions stipulated in the consent to operate, granted by the MPCB to the Brihanmumbai Municipal Corporation, Bank guarantees have been taken from the latter. Category of the slaughter house is described as type I (large). The slaughtering house was to provide provided minimum 33 % of the available open land under green coverage by making tree plantation. The slaughter house was directed to submit Bank guarantee of

Rs. 5 lacs each for revamping of old bio gas plant, installation and commissioning of biomethanation and rendering plant, careful execution of the existing practices to ensure hygienic conditions and to ensure O and M pollution system.

14. We have noticed from the record that MPCB had issued show cause notice dated 23<sup>rd</sup> October, 2013 to M/s Deonar Abattoir calling for explanation as to why action be not taken on account of violation of the provisions of Water (Prevention & Control of Pollution) Act 1974 and AIR ( P & CP ) Act,1981 The text of the show cause notice reveals that Sub Regional office of MPCB visited the slaughter house on 21.10.2013 and gave a report to the following effect.

1. *The Mechanized slaughtering plant for cattle's shed is dilapidated condition so you are carrying out on ground traditional slaughtering for cattle.*
2. *The vegetable waste generated such as rumen, waste from stomach and intestinal contents, dung, agriculture residues is being disposed by deep burial method at MCGM Deonar dumping ground instead of big Bio-methanation.*
3. *It is observed that you have not installed Rendering Plant. The waste generated such as animal matter such as inedible offals, tissues, meat trimmings, waste and condemned meat, bones etc being disposed by deep burial method at MCGM Deonar dumping ground instead of disposing it through Rendering Plant .*
4. *The waste water generated from slaughtering and washing activity contaminated with blood found entering in the storm water drain. This storm water drain carrying effluent observed connected to ETP. But there is need of dedicated separate pipe line for storm water and industrial waste water.*

5. *The leakages/ seepages observed from various drains and treatment plant. There is need of urgent attention towards repair of the same.*
6. *You had provided separate blood drains and collection pit for sheep/ pig slaughtering. But you could not produce the record of blood collection and further usage/ disposal during visit of Board Official.*
7. *There is no effective blood collection system at traditional slaughtering of cattle thereby blood finding its way along with waste water to ETP.*
8. *The by-products generated such as skin, bones, tallos, hooves, horns, hair are taken by respective trade licences but you cannot produce record of the same during site visit.*
9. *The solid waste inform of tallos, guts, hooves, horns and other vegetable waste such as rumen, waste from stomach and intestinal contents, dung, agriculture residues were being haphazardly stored in the work environment.”*

15. We may take note of the stance taken by the Municipal Corporation through General Manager of Deonar Abattoir in response to the above show cause notice. The reply to the show cause notice, as given by the General Manager of Deonar Abattoir, indicates that the statutory requirement of Biomethanation plant and rendering plant for treatment of solid waste had not been informed earlier to the consent of 5/7/2013 and therefore steps were not taken to implement the same. It is also noticed from the correspondence available in records that MPCB has already communicated the abattoir, on 26/4/2012, to comply the requirement of pollution control and management system as per CPCB guidelines. We are of the opinion that such a stand is without any substance. The conditions imposed while granting the consent to operate,

clearly stipulated such pre-requirement to be complied with by Deonar Abattoir Management. It is stated in the reply of the Deonar Abattoir that process for installation and commissioning of Biomethanation plant is in progress. It is also stated that the process for installation, commissioning and rendering plant is in progress. These are rather evasive replies. We do not know what is the actual stage of progress made by the Abattoir for installation of the said facilities? The Brihanmumbai Municipal Corporation has not placed on record any material to show the budget allocation made for such purpose.

16. We have pointed out from the show cause notice dated 23.10.2013 that the MPCB found various lapses committed by the Municipal Corporation in operation of the Deonar Abattoir. The response of General Manager of the Deonar Abattoir is not only evasive but on certain points there appears clear admission about such lapses. For example, the show cause notice of the MPCB reveals : “Waste water generated from slaughtering and washing activities contaminated with blood found entering in the storm water drain. These storm water drain carry effluent, observed in the ETP but there is need of dedicated separated pipe line for storm water and industrial water”. The response of General Manager of Deonar Abattoir on this point is thus :

The utmost care is taken to prevent the water generated from slaughtering and washing activity entering in the storm

water drain and also a new separate storm water and industrial waste water pipe line will be laid at the earliest”

Another point on which explanation was called is that there was no effective blood collection system on traditional slaughtering of cattle thereby blood finding its way along with waste water to the ETP. The response of General Manager of Deonar Abattoir is that on temporary basis the blood is collected manually. Needless to say, the management of Deonar Abattoir is not only being handled without following regular norms but in casual manner, carelessly and in unhygienic way. It goes without saying that such perfunctory management of the slaughter house is harmful to the environment. That will not only cause contamination of by products and the drained water which will be mixed with waste blood or other material but it will trigger epidemic diseases in the nearby area.

17. We are surprised to see that in spite of such observations of MPCB which are practically undisputed, the analysis results of January 2012 annexed with the revival of consent vide letter dated 5.7.2013 does not reflect any abnormality. There appears internal contradiction in the actions of MPCB. The analysis results cannot be normal where admittedly the blood was found entering in to the storm water drain and was not segregated by means of separate waste water pipe line. It could not be normal when there was no effective blood segregation system in the place of traditional slaughtering of cattle. And

therefore waste blood was drifted along with waste water to the ETP. The analysis report could not be normal when the solid waste was being improperly treated. In any case, the record of MPCB must be kept straight. Nobody can deny that there must be probity in the governance of all organs of the Government including the semi Governmental organization like Municipal Corporation.

18. We have also perused the records including the copies of the consent and also, correspondence submitted by the parties. It is observed that MPCB had issued consent to the abattoir on 16/6/2012 which was valid up to 31.10.2012 for the production of meat, beef and pork to the capacity of 45 MT/day, 76MT/day and 4 MT/day respectively, with industrial effluent generation of 900 cum/day. MPCB further granted the consent on 5/7/2013 which is valid up to 31.10.2015, for production of meat, beef and pork to the capacity of 3600 MT/month, 2700 MT/month and 360 MT/month respectively, with industrial effluent generation of 942 cum/day. It can be seen from the production quantities in these two consent documents that MPCB has approved the consent to the abattoir for a significant increase in production capacity. This approval has been granted with the clear information available with MPCB that the abattoir is not meeting the norms set out by the CPCB. Considering the above, it is not clear how the MPCB has decided to grant consent of 5/7/2013 with the increased

capacity and pollution load, when it had the knowledge that the abattoir is not complying with the guidelines of CPCB.

19. Here is the case in which the Brihanmumbai Municipal Corporation is found running the large scale slaughtering activities without proper management. The large scale slaughtering of animals must be undertaken with due care and ought to be done in hygienic conditions. The Deonar Abattoir is a service Abattoir of Greater Mumbai. There cannot be duality of opinion that the Mumbai Municipal Corporation is legally bound to maintain, operate and regulate the slaughter house . We are aware that Section 61(h) of the Mumbai Municipal Corporation Act, 1988 provides that the construction, maintenance, operation and regulation of such slaughter house is an obligatory duty of MCGM. We also are aware of the fact that Deonar Abattoir was constructed in 1971. Still, however, we cannot appreciate that the slaughter house could not have been technically equipped in accordance with the developed scientific methods to maintain hygienic condition and particularly when the number of animals brought for slaughtering is ever increasing. According to the MCGM, the first ETP was installed in 2004. That is not, however, sufficient equipment to take care of the activities which are on going. The revamping of biogas plant, installation and commissioning of biomethanation and rendering plant, segregation of blood pipe line from the storm water pipe line, improving O & M of pollution control system are the requirements which are not



yet been fulfilled. According to the management of Deonar Abattoir, modernization plant is being duly under taken in consultation with National Meat and Poultry Board (NMPB) New Delhi. We have no record to show that any special grants have been provided for such modernization or any equipment are purchased by the Municipal Corporation to execute so called modernization plan. There is no denying, however, that at present such deficiencies do exist.

20. The Applicant has placed on record certain additional submissions supported with certain documents. It appears that a committee has been constituted as per the order dated 6.10.2005 rendered by the Hon'ble High Court of Bombay in WP (PIL) No. 4 of 2005. The committee is headed by Hon'ble Mr. Justice Dr. C. S. Dharmadhikari. The Chairperson of the said Committee vide letter dated 28.5.2013 addressed to the Chairman, Agricultural and Processed Food Products Export Development Authority (APFEDA) requested that export licence of the Abattoir be not renewed. It was duly informed that the Bye laws of the GMMC do not provide for exporting of meat. The letter dated 28.5.2013 reveals that the Chairman of APFEDA was duly informed regarding the existing legal position. The Chairperson of the Committee in the letter referred to above stated "Similarly, the slaughter house established by the Mumbai Municipal Corporation is also meant for slaughter of animals for consumption of meat by the people living within the geographical limit of Mumbai City. This

is further reinforced by bye-laws and regulations relating to markets and slaughter houses which are framed by the Mumbai Municipal Corporation. Chapter IV of the said bye laws deals with Municipal slaughter house and bye law no1 in this chapter specifically lays down as under :

*“The Municipal Corporation Slaughter houses of Deonar are established and set apart for the slaughter of animals intended for human food for consumption in Greater Bombay.”*

21. It is also seen from the records that Government of Maharashtra has also formed a committee for efficient operations of the slaughterhouses in the state vide GR dated 23/10/2012 in compliance with the orders of Hon'ble Supreme Court in the matter 309/2003. Neither MPCB nor the Corporation has mentioned existence of such committee and also, the work done by them so far, though MPCB is part of this committee. It is seen from the mandate of the committee that the issues raised in the application are also dealt by this committee, and the committee is mandated to carry out surprise inspections of abattoirs and make recommendations for improvements.

22. We are of the opinion that the requirement of slaughter house in a city cannot be done away with though some section of the society may wish away with it. Record shows that APFPEDA has granted licences to Deonar Municipal Abattoir for export of the meat up till June 30th 2014. A copy of this

certificate of registration ( Annex viii) is filed along with additional submissions of the Applicant indicating that the registration No APFPEDA/50 is valid up till June 30<sup>th</sup> 2004 It transpires that APFPEDA conveniently over looked the bye law no 1 of Chapter iv Mumbai Municipal Corporation relating to the regulations of markets and slaughtering houses. This kind of apathy on the part of the Government agency is reprehensible. We have no hesitation in holding that in absence of proper hygienic condition and valid authority under the bye laws of the Municipal Corporation the Export of meat from Deonar Abattoir could not have been allowed by APFPEDA. The certificate issued by said authority is therefore illegal and invalid.

23. The Applicant has brought to our notice the practice adopted by the MCPB to seek Bank guarantees for compliance of mandatory conditions imposed while granting consent to operate a slaughter house. One of the prayer of the Applicant is that such practice is bad in law and as such MCPB may be directed to discontinue such practice. The issue, in our opinion, is outside scope of section 14 of the N.G.T. Act. No doubt, it is a legal question which requires determination in an appropriate case where forfeiture of Bank guarantee is directed on account of non compliance of any conditions. Still however in view of the fact that this Tribunal is not bestowed with writ jurisdiction, we do not find it necessary to decide the issue regarding such practice of seeking Bank guarantee while

granting permission to operate. The legal aspect has been already dealt with by this Tribunal (Principal Bench) in case of DVC Emta Coal Mines Vs Pollution Control Authority (WB) and also, Hindustan Coca Cola Beverages Pvt. Ltd while deciding Appeal No. 43 of 2013 and Appeal No. 10 of 2013 respectively. Still, however, we do not wish to decide the issue in as much as the Applicant is not an aggrieved person in the present case due to said practice which is being followed by the MPCB. So, it is not necessary to dwell on this issue.

24. As regards objection on ground of limitation, it may be stated that there is continuity in cause of action due to lack of care in the management of Deonar Abattoir. That apart, the Applicant has sought protection of environment as well as enforcement of provisions of Environment (Protection) Act, 1986. The revival of consent to operate the Abattoir in 2013 triggered afresh cause of action for the purpose. In our opinion, where there is continuity of environmental degradation, the limitation continues with the time till the nuisance, degradation or damage is brought to hilt. Hence, the Application is maintainable. It does not fall outside scope of Section 14 of the N.G.T. Act nor is barred by limitation. The objections in this context are therefore rejected.

25. For the reasons discussed hereinabove, we hold that the Applicant has duly proved its case that Deonar Abattoir is being run without following regular environmental norms. We also

find that export of the meat from Deonar Abattoir is illegal. We have no hesitation in holding that there is urgent need to address problems of environmental degradation and therefore, Deonar Abattoir requires revamping, up gradation and modernization. Mere closure of the slaughter house is not the solution at the present.

26. In the result, the Application is partly allowed. We deem it proper to give following directions to the Respondents.

- A. The application is partly allowed.
- B. The Export Licences issued by the APFEDA on 10<sup>th</sup> January in favour of the Deonar Municipal Abattoir stands suspended w.e.f. from 1st January 2014.
- C. The three Member Committee comprising of the Member Secretary of the MPCB, Sr. Scientist of the MPCB and Sr. Law Officer of the MPCB shall visit Deonar Abattoir in next 15 days along with BMC officials and in their presence; suitable samples shall be collected, in order to verify parameters as per consent and CPCB guidelines. The analysis of the samples shall be carried out within a reasonable time period and the report thereof be examined by the above three members committee.
- D. The Three Member Committee named above shall give suitable directions to the Brihanmumbai Municipal Corporation to take necessary short and long term steps for upgrading and modernization of Deonar Abattoir for environmentally sound operations, to be

implemented within a period of six months and in any case, prior to First December, 2014.

- E. In case of non-compliance found to have been done by BMC, MPCB may give suitable directions as provided under section 33A of the Water (P and C.P ) Act, 1974 and/ or Air ( P&CP) Act 1980 as the case may be, including temporary shifting of the Abattoir activities to suitable place, outside the Mumbai, viz. Thane, New Mumbai etc. till compliance of such directions is achieved. The Municipal Corporation shall however take suitable steps to do needful in as much as it is supposed to avoid environmental problems and cater the needs of the people of Mumbai by providing slaughter house in the metropolitan city.
- F. In case of failure of the Municipal Corporation in performing its duties, the Applicant may move State Government to take necessary steps for due compliance or for any other purpose as may be permissible under the law.
- G. The respondents shall pay costs of Rs. 30,000/- to the Applicant which shall be equally shared by them, by sending demand draft of Rs. 15,000/- each in the name of the Applicants within a period of one month.

....., JM  
(Justice V. R. Kingaonkar)

....., EM  
(Dr. Ajay.A. Deshpande)