

(Supreme Court Of India)

Laxmi Narain Modi

v.

Union of India & Others

(Y.K. Sabharwal and G.P. Mathur,Jj.,)

Writ Petition (Civil) No. 309 Of 2003 | 12-07-2005

1. It is unfortunate that despite the fact that this petition is pending in this Court for about two years complaining of the dismal state of affairs of slaughter houses in various States and orders having been passed by the Court from time to time, the affidavit does not state as to what steps were taken by the Central Pollution Control Board [for short, "C.P.C.B."] after issuance of directions dated 23rd July, 2002 by it to various State Pollution Control Boards in exercise of power under Section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 [for short, "the Act"] pointing out the standards in slaughter houses/meat processing industries. A detailed order was passed by this Court on 28th March, 2005 granting opportunity to C.P.C.B. to file affidavit stating the steps to be taken for efficient and proper disposal of solid waste from slaughter houses and running of slaughter houses without consent.

2. We have, on record, a summary chart setting out the State-wise information regarding the mode of disposal of solid waste of slaughter houses and slaughter house-wise information which was filed in response to orders dated 26th July, 2004 and 1st October, 2004 by the C.P.C.B. itself. The said chart was filed in November, 2004. It shows that most of the slaughter houses do not have the requisite consent. Section 18(2) of the Act empowers the Central Government to direct the C.P.C.B. to perform the functions of the State Board in case of grave emergency on the existence of conditions stipulated therein. The C.P.C.B. has not stated as to what responses, if any, were received from State Pollution Control Boards on issue of directions dated 23rd July, 2002. It has also not stated as to whether the Central Government has been asked to take action against the defaulting Boards under Section 18(2) of the Act.

3. In the interest of justice, as requested by the learned Counsel appearing for the C.P.C.B., we grant to it two weeks' time to file a detailed affidavit of its

Chairman placing on record the up-to-date factual position, subject, however, the C.P.C.B. paying costs of Rupees twenty-five thousand to be deposited with the Supreme Court Legal Services Committee. The petitioner, Union of India and others may respond to the affidavit within two weeks thereafter.

4. List the petition after four weeks.