

THE HON'BLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA

AND

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION (PIL).No.309 of 2017

ORDER: *(Per the Hon'ble the Chief Justice Satish Chandra Sharma)*

Learned counsel for the petitioner has informed this Court that the petitioner has taken away the brief. Therefore, the present public interest litigation is treated as a *suo motu* public interest litigation.

The facts of the case reveal that the public interest litigation has been filed by the petitioner alleging violation of environmental laws by the respondent No.12 – Sneha Farms Pvt. Ltd., a poultry farm in Ranga Reddy District (hereinafter referred to as “the poultry industry” for brevity), and it has been stated that the poultry industry is violating the environmental laws, they are violating the other statutory provisions, they have displayed large sized photo of the Hon'ble Chief Minister, they are processing about 6000 birds per day using some German technology, which is creating pollution in the area, and the discharge from the poultry industry is containing hazardous material

contaminating the water. Other grounds have also been raised in the present public interest litigation. The petitioner has prayed for the following relief:-

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon’ble Court may be pleased to issue a appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents herein more particularly the respondents Nos.5 to 11 herein in not taking any steps for solving the sufferings and problems being faced by the villagers of Veltoor, Baleedupalli, Addakal and Kanmanoor Villages of Addakal Mandal due to the release of waste, hazardous and stinky reconciling by the 12th respondent chicken processing unit and it’s allied chicken poultries and the labour working in their establishments as being illegal, arbitrary, unconstitutional and violative of Articles 19, 21 and 23 of the Constitution of India in the interest of justice and consequently to order an enquiry in to the entire sufferings and problems of the surroundings villagers of Mahabunagar and Wanaparthy District affected villagers and labourers in the hands of the 12th respondent establishment at Addakal Village and report to this Hon’ble Court for issuing suitable orders in the interest of justice and pass such other order or orders as are deemed fit and proper in the circumstances of the case.”

A detailed and an exhaustive counter affidavit has been filed by the Telangana State Pollution Control Board

(hereinafter referred to as “the Board” for brevity) and it has been stated that the poultry industry has provided Effluent Treatment Plant (ETP) for treatment of waste water and the poultry industry is having husk fired boiler with bag filters to control air emissions. The poultry industry has installed a plant to convert blood and other unwanted parts of the birds to pet meal. The poultry industry has also installed bio-filters to control odour nuisance and to release clean air into the atmosphere. It has further been stated that based upon the complaint received in the matter from one Srinivas against the poultry industry, the Board officials have inspected the poultry industry on 09.03.2017 and have collected the sample of ETP inlet and ETP outlet. Details have been furnished in the counter affidavit. It has been further stated that after analysing the result of the samples, it has been found that the parameters are within the standards of the Board. It has also been stated by the Board that a complaint was filed by the petitioner with the Central Pollution Control Board regarding the pollution caused by the poultry industry and on 18.09.2017 again water samples at inlet and outlet of

ETP were collected and the results reflected that the parameters are within the standards of the Board. Again it was noticed that the poultry industry has installed bio-filters to control odour nuisance.

The State Government has also filed a detailed counter affidavit in the matter and the counter affidavit of the State Government also reveals that an enquiry was conducted by the Tahsildar, Addakal, and as per the enquiry report, there is no release of waste after processing the chicken and the waste and other material are processed and converted as fish food. The water used by the poultry industry is purified by the ETP and the waste water is used for watering the Malabar, Neem and Eucalyptus plants through drip irrigation maintaining the Biochemical Oxygen Demand (BOD) and the Chemical Oxygen Demand (COD) levels.

The detailed and the exhaustive counter affidavits reflect that the poultry industry is meeting all the required parameters and therefore, in the considered opinion of this Court, keeping view the counter affidavits of the State Government and the Board, no further orders are required

to be passed in the present public interest litigation. However, the Board shall keep on conducting inspections periodically to ensure that there is strict compliance of the environmental laws in the matter.

With the aforesaid, the public interest litigation stands disposed of.

The miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

SATISH CHANDRA SHARMA, CJ

ABHINAND KUMAR SHAVILI, J

21.02.2022

vs