

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI.**

**Application No. 99 of 2017**

R. Dinesh,  
S/o. M.S. Ramasamy,  
No.6, Parvathi Nagar,  
Pudupalayam,  
Gobichettipalayam Taluk,  
Erode District.

...Applicant

**Vs**

1. Gobichettipalayam Municipality,  
Re. by its Commissioner,  
Municipal Office, Cutcherimedu,  
Erode Main Road,  
Gobichettipalayam, Erode & 2 others

...Respondents

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**Advocate for the Respondent: TNPCB  
Ms. Shanmugavalli Sekar, BSC**



**Report of the Joint Committee Constituted by the Hon'ble NGT (SZ) in O.A. No. 99 of 2017 filed by Mr. R. Dinesh regarding the dumping of Municipal Solid Waste by the Gobichettipalaym Municipality, Erode District, Tamil Nadu.**

**1. Background**

It is submitted that an application was filed before the Hon'ble National Green Tribunal (SZ) vide O.A. No. 99 of 2017 by Mr. R. Dinesh residing at No. 6, Parvathy Nagar, Pudupalayam, Gobichettipalayam Taluk, Erode District stating that the dumping of Municipal Solid Waste by the Gobichettipalayam Municipality of Erode District was carried out at the adjacent site of T. S. No. 2, Block 5, Ward D of Gobichettipalayam Municipality, Erode District resulted in complete contamination of Ground water and also prayed before the Hon'ble NGT (SZ)

- a) To cease the dumping of waste at the site, T.S.No. 2, Block 5, Ward D of Gobichettipalayam Municipality, Erode District
- b) To remediate the said site, restore it to its previous pristine state including remediation of ground water and soil.
- c) To Direct the 3<sup>rd</sup> Respondent, District Environmental Engineer, TNPCB, Perundurai to initiate prosecution under the Environment (Protection) Act, 1986, the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 for violations committed by them.

In this connection, the Hon'ble National Green Tribunal in its orders dated 19.12.2019, 27.01.2020, 30.06.2020, 30.09.2020, 07.01.2021 and 14.06.2021 has given various directions to the Gobichettipalayam Municipality, Tamil Nadu pollution Control Board and the Joint Committee comprising of officials from Central Pollution Control Board (CPCB), Regional Office, Ministry of Environment, Forest and Climate Change (MoEF&CC), Chennai and Tamil Nadu State Pollution Control Board (TNPCB). Accordingly, the Joint Committee has submitted Reports before the Hon'ble National Green Tribunal in compliance with the orders issued.

In compliance of the orders dated 14.06.2021, the Joint committee has submitted report before the Hon'ble National Green Tribunal (SZ) on 28.08.2021 submitting the status of soil test report carried out by the Tamil Nadu Agricultural university for the samples collected from the area where bio mining was completed. The Report of Analysis has concluded that all the heavy metals except Arsenic are within the permissible limit. Further, it was stated that maximum Permissible Limit for Arsenic in Soil is 20 mg/Kg.

The Hon'ble National Green Tribunal (SZ) in its latest order dated 31.08.2021 has stated that the Joint Committee has not mentioned anything about the effect of the Arsenic content on the ground water in the nearby water sources and directed to conduct further study in this regard and to ascertain as to whether this has contaminated the ground water in the nearby area and any further remedial measures will have to be taken by the Gobichettipalayam Municipality for remediation. The committee was also directed to ascertain the damage caused to the soil and environmental compensation (if any) to be imposed on account of the same. In this connection, the Report of the Joint committee is submitted as below.

## **2. Status of Ground Water Quality**

In compliance of the earlier orders passed by the Hon'ble NGT(SZ), the ground water samples were collected in and around the dumpsite area and the report was submitted to the tribunal on 09.09.2020. ***The analysis results reveals that concentration of Arsenic, Cadmium, Chromium (as Cr6+), Copper, Cyanide, Lead, Mercury, Nickel, Nitrate, Iron as Fe, Phenolic Compound, Zinc are Below Detectable Limit / Below Limit of Quantification, i.e., within the desirable limits in all the 10 sample locations.*** The Reports of analysis are submitted vide Annexure 1. The details of the sampling locations are given below;

<b>Sample Code No.</b>	<b>Sampling Points</b>	<b>Nature of Sample</b>
GM - 1	Mr. Thirunavakarasu, S/o. Ramanandhan, Durai Bore Well Near Karattur Municipal Compost Yard, Gobichettipalayam	Bore Well water

	(SC. No. 302 – 002 – 750)	
GM - 2	Municipal Bore Well Karattadipalayam Main Road, KaratturPillayarKovil Street, Gobichettipalayam (SC. No. 302 – 002 – 1088)	Bore Well water
GM - 3	Mr. Sreenivasan, M/s. Premier Modular Woodcrafts Co., No. 44/76, PillayarKovil Street, Gobichettipalayam (SC. No. 302 – 002 – 0049)	Bore Well water
GM - 4	Municipal Bore Well SakthiVinayagar Temple, Children's Park, TRR Nagar, Gobichettipalayam (SC. No. 302 – 002 – 518)	Bore Well water
GM - 5	Ms. K. R. Sudhandira, W/o. M. Ravichandran, 2E, TRR Nagar Main Road, Parvathy Nagar, Gobichettipalayam (SC. No. 302 – 002 – 906)	Bore Well water
GM - 6	Emerald House Lodge, Erode Main Road, Gobichettipalayam (SC. No. 302 – 002 – 122)	Open Well water
GM - 7	Ms. M. Vijayalakshmi, W/o. Murugan, 7, PillayarKovil Street, Karattur, Gobichettipalayam (SC. No. 302 – 002 – 208)	Bore Well water
GM - 8	Mr. A. Arumugam, No. 74, PillayarKovil Street, Karattur, Gobichettipalayam (SC. No. 302 – 002 – 0029)	Open Well water
GM - 9	Mr. Sengottaiyan, (M/s. Raj Motors) No. 1F, Pariyur Main Road, Gobichettipalayam (SC. No. 302 – 002 – 528)	Bore Well water
GM - 10	Municipal Bore Well,	Bore Well water

Erode Main Road, Mariamman Kovil Street, Gobichettipalayam (SC. No. 302 – 002 – 524)	
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### **3. Present Status of Bio mining**

Presently, the municipality has processed estimated 40,000 m<sup>3</sup> of legacy waste on 25.08.2021. However, the same is yet to be certified by the Centre of Environmental Studies, Anna University.

It was also stated by the Commissioner, Gobichettipalayam Municipality that there is around 2800 - 3000 m<sup>3</sup> of legacy waste in the said bio mining site in addition to the already estimated 40,000 m<sup>3</sup> of legacy waste. In this connection, it was reported that earlier estimation of 40,000 m<sup>3</sup> of legacy waste was based on the areal extent and the contour profile of the dumpsite by the Centre for Environmental Studies, Anna University and in the actual condition, there may be more legacy waste than the estimated quantity of 40,000 m<sup>3</sup>.

The Commissioner, Gobichettipalayam Municipality has stated that fresh tenders are floated for the disposal of this additional 2800 – 3000 m<sup>3</sup> of legacy waste and the same is yet to be finalized.

### **4. Conclusion & Recommendations**

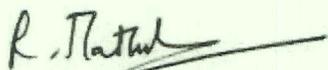
- i. Ascertain as to whether this has contaminated the ground water in the nearby area and any further remedial measures will have to be taken by the Gobichettipalayam Municipality to remediate these aspects as well.**

Based on the analysis report it is confirmed that, the ground water quality around the dump site of Gobichettipalayam Municipality is not affected by the contamination of Heavy metals such as Arsenic, Cadmium, Chromium (as Cr<sup>6+</sup>), Copper, Cyanide, Lead, Mercury, Nickel, Nitrate, Iron as Fe, Zinc as well as Phenolic Compound it was observed that there is no impact on the surrounding groundwater quality due to the legacy waste dumpsite.

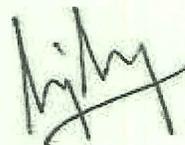
ii. To ascertain the damage caused to the soil and environmental compensation (if any) to be imposed on account of the same.

The presence of arsenic contamination is identified based on the soil samples collected at the area where biomining is completed. Whereas, the bio mining is under progress and not completed fully, so that the actual area of contamination could not be assessed to ascertain the actual damaged caused to the soil.

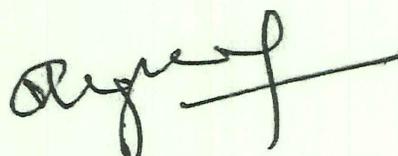
Once the biomining is completed, the contamination and remediation study for the entire bio mining area is to be carried out by Gobichettipalayam municipality through the Tamil Nadu Agricultural University as per the Hon'ble Tribunal direction, to assess the actual area of damage caused and quantity of soil contaminated, and accordingly, the environmental compensation will be assessed for remediation.



R. Mathivanan  
JCEE (M), TNPCB, Salem



R. Rajkumar  
Scientist-D, Central Pollution Control  
Board, Regional Directorate, Chennai



Dr. C. Kaliyaperumal, Director,  
MoEF & CC, Regional Office (Chennai).



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**REPORT OF THE JOINT COMMITTEE  
CONSTITUTED BY THE HON'BLE NGT  
(SZ) IN O.A.NO. 99 OF 2017 FILED BY  
MR. R.DINESH REGARDING THE  
DUMPING OF MUNICIPAL SOLID  
WASTE BY THE GOPICHETTIPALAYAM  
MUNICIPALITY, ERODE DISTRICT,  
TAMIL NADU.**

**Advocate for the Respondent: TNPCB  
Ms. Shanmugavalli Sekar, BSC**

Date: 23.11.2021

Date of Hearing: 24.11.2021

