

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

**Original 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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**Filed by  
Tmt. Shanmugavalli Sekar,  
Advocate, Chennai.**





**Report of the Joint Chief Environmental Engineer (Monitoring), TNPCB, Salem in connection with the O.A.No. 99 of 2017 filed before the Hon'ble NGT (SZ) 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 31.08.2021 and 24.11.2021 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 Reports were submitted by the Gobichettipalayam Municipality, Tamil Nadu pollution Control Board and the

Joint Committee before the Hon'ble National Green Tribunal in compliance with the orders issued.

The Hon'ble National Green Tribunal (SZ) in its latest order dated 09.12.2021 has directed the TNPCB to inspect the area in question and submit further status report regarding the present status of implementation of Solid Waste Management Rules, 2016 and the process of biomining and action taken if not properly dealt in tune with the directions issued by the Principal Bench in O.A. No. 606 of 2018.

In this connection, the said site was inspected on 28.01.2022 and the following report is submitted as below.

**a) Management of fresh Municipal Solid Wastes:**

Gobichettipalayam Municipality comprises of 30 wards with a population of 59505 as per 2011 census. It consists of 18135 residential households with 3095 commercial establishments. The town is spread over an extent of 7.5 Sq.km.

The Commissioner, Gobichettipalayam Municipality has obtained Authorization vide Proc. No. JCEE/SLM/TNPCB/SWM/F.07/PND/2019 Dated: 12/04/2019 for processing, recycling, treatment and disposal of municipal solid wastes of 22 MT/day under the Solid Waste Management Rules, 2016 for the period upto 31.03.2020 for carrying out processing/ recycling/ treatment/ disposal facility for the municipal solid waste generated at the following locations:

- i) Micro Composting Centre at Ramar Extension, T. S. No. 1, 4, Ward B, Block 15 (Old S.F. No. 15 B, 16 A pt, 16 B pt), Gobichettipalayam – 4 MT
- ii) Micro Composting Centre at Nayakankadu, T. S. No. 7, Ward D, Block 4 (Old S. F. No. 185 pt), Gobichettipalayam – 3 MT
- iii) Bio Methanation Plant at Nayakankadu, T. S. No. 2, Ward D Block 5 (Old S. F. No. 180 pt), Gobichettipalayam – 2 MT

At Present, the Municipality generates around 20 T/day of Solid Wastes, of which 2 T/day is Bulk Wastes. The segregated organic Municipal

Solid Wastes are subjected to Windrow composting within the composting yard. The organic materials are processed and converted as compost and sold out as manure for the nearby farmers. The food waste and vegetable waste are shredded and used to produce bio gas in the bio methanisation plant. The biogas generated is used to generate Power by using 30 KVA gas-based DG Set. The Power generated is utilized for operation of the machinery and lighting purpose within the premises. The Municipality has provided a shredding machine to shred the plastic waste. The plastics waste was found separated and stored within the premises for further disposal to the recyclers. The local body has made MOU agreement with M/s. Ultratech Cements Limited, Ariyalur for Co-incineration of plastic waste generated in the Municipal limit.

All the fresh solid wastes are processed in compliance of the solid Waste Management Rules, 2016 and no fresh solid waste is dumped at any site at present.

**Present status of Biomining:**

Earlier, the municipality has reported that it processed the estimated quantity of 40,000 m<sup>3</sup> of legacy waste on 25.08.2021. The Centre of Environmental Studies, Anna University in its Letter No. 0153/DIR/CES/Gobichettipalyam Municipality / 2021 – 2022, dt. 07.12.2021 has estimated that around 36,822 m<sup>3</sup> of waste has been processed and disposed till August 2021. In this connection, the Municipality has reported that they have processed the estimated quantity of 40,000 m<sup>3</sup> ~~has been processed~~, but the recovered materials are yet to be disposed.

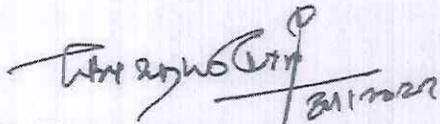
It was also stated by the Commissioner, Gobichettipalayam Municipality that there is around 2682 m<sup>3</sup> of legacy waste in the said biomining site in addition to the already estimated 40,000 m<sup>3</sup> of legacy waste. In this connection, it was reported that earlier estimation of 40,000 m<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 was more legacy waste than the estimated quantity of 40,000 m<sup>3</sup>. A tender was floated by the Gobichettipalayam Municipality for biomining of this buffer quantity of 2682 Cu. M of legacy

waste and a work order has been issued vide ROC No. 2152/2021/E1, dt. 29.10.2021 to M/s. Explosive Enterprises, Gobichettiplayam.

Earlier, the Gobichettipalayam Municipality has reported that the biomining of the said buffer quantity of legacy waste of 2682 Cu. M would be completed before 31.01.2022. During inspection, it was observed that the said biomining works was not yet completed. Further, no biomining activity was observed during inspection. In this connection, the Gobichettipalayam Municipality has reported that the biomining works of this buffer quantity of legacy waste got delayed due to the heavy rains during the months of November and December 2021 and due to subsequent COVID-19 Pandemic.

In this regard, the Gobichettipalayam Municipality was requested to complete the biomining of entire buffer quantity legacy waste immediately within a month. Further, the municipality was also requested to collect more number of soil samples from the dumpsite as well as bio-earth samples from the biomining process and analyze through Tamil Nadu Agricultural University as suggested by the Centre of Environmental Studies, Anna University.

Under the above circumstances, it is submitted that once the bio mining of entire legacy waste is completed, the contamination & remediation study of the entire bio mining area will have to be carried out by Gobichettipalayam municipality through the Centre of Environmental Studies, Anna University as per the Hon'ble National Green Tribunal direction, so as to restore the soil to its original position.



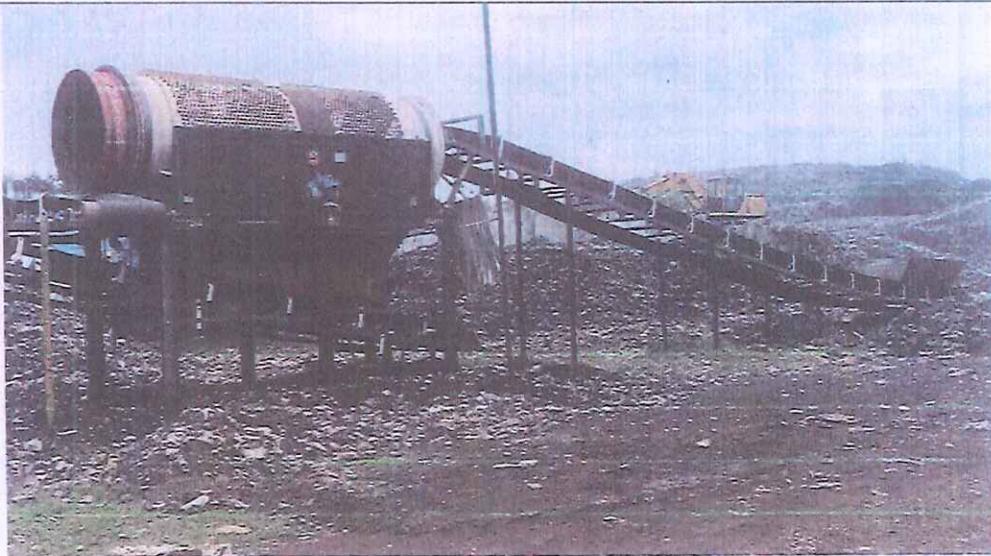
District Environmental Engineer  
Tamil Nadu Pollution Control Board,  
Perundurai



Joint Chief Environmental Engineer (M),  
TNPCCB, Salem



Segregated Biodegradable waste

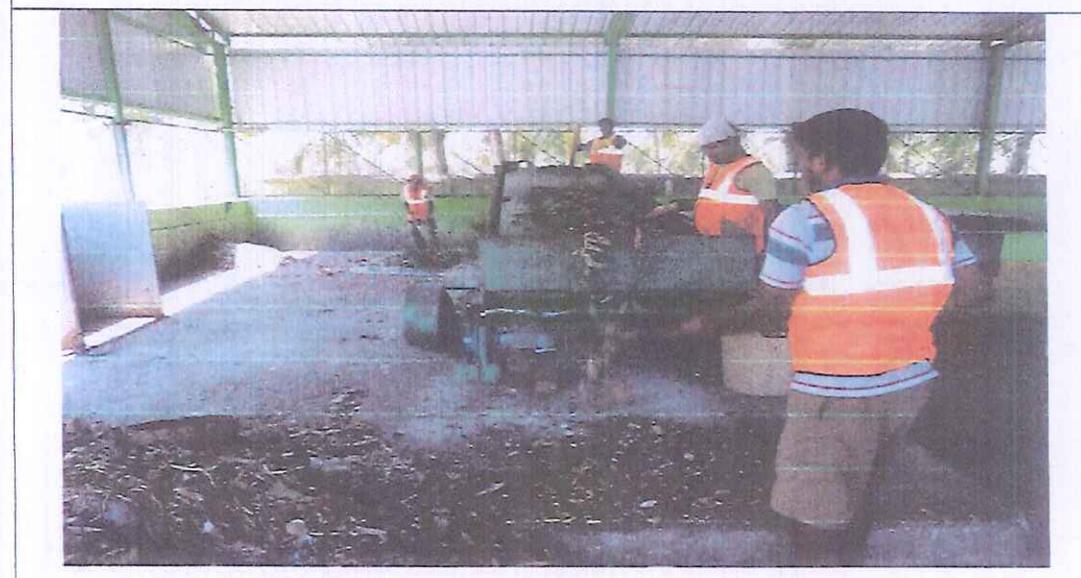


Biomining facility not in operation

Photos taken during inspection on 28.01.2022

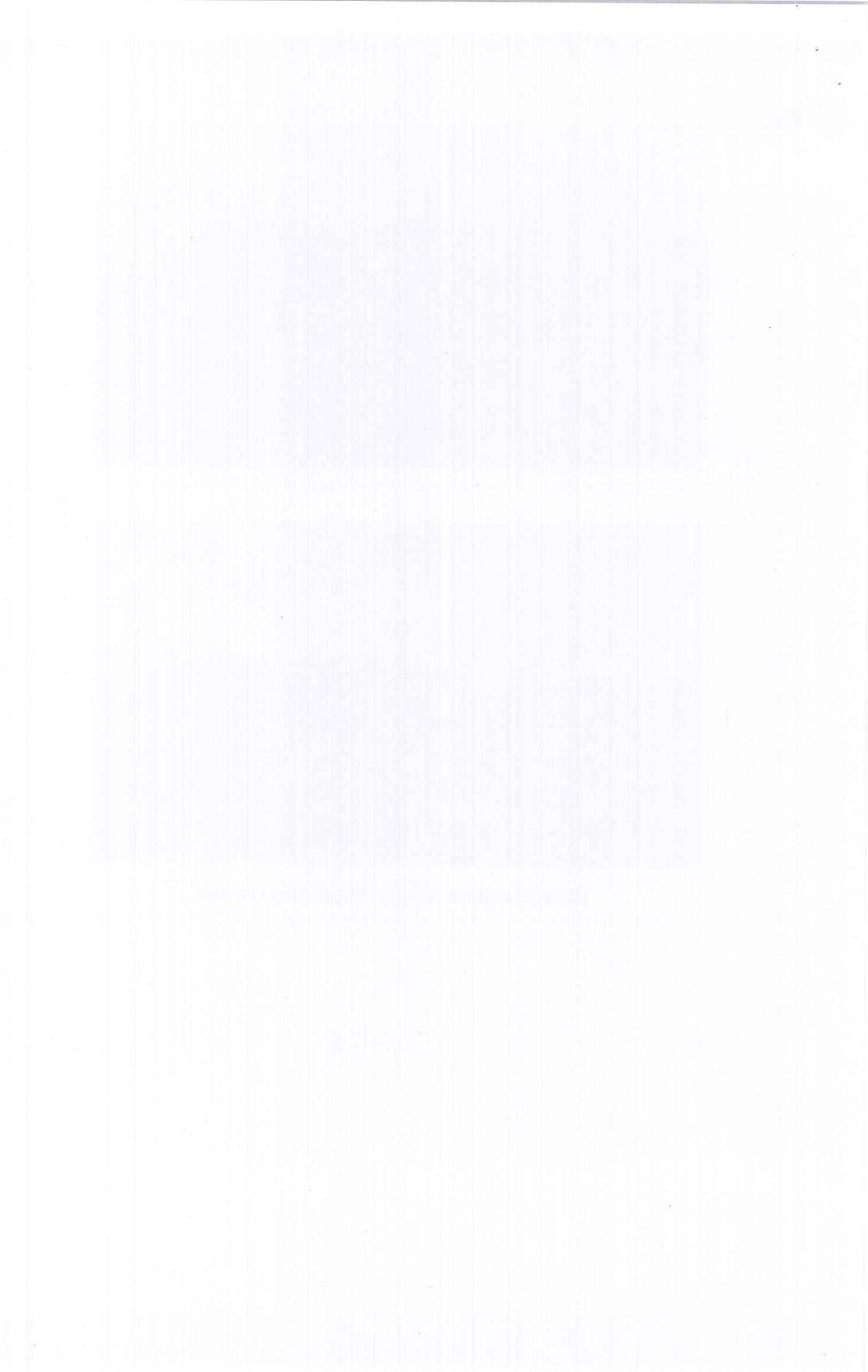


Micro composting Centres





**Buffer quantity of legacy waste to be processed**



பதிவு அஞ்சல் ஒப்புக்கூட்டல்

நகராட்சி நிர்வாகம் மற்றும் குடிநீர் வழங்கல் துறை

அனுப்பநர்

திரு.ஜெ.யிரேம் ஆனந்த்.பி.எஸ்.சி.

ஆணையாளர்

கோபிசெட்டிபாளையம் நகராட்சி

கோபிசெட்டிபாளையம்

பெறுநர்

இயக்குநர்,

இயற்கை வள வேளாண்மை இயக்ககம்.

தமிழ்நாடு வேளாண்மை பல்கலைக்கழகம்.

கோயமுத்தூர்.

நக.எண் 3395/2015/இ1

நாள்.24.01.2022

ஆயா

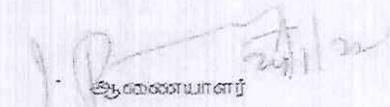
பொருள் : மண் பரிசோதனை கோபிசெட்டிபாளையம் நகராட்சி இந்நகராட்சிக்கு சொந்தமான கரட்டுர் உரக்கிடங்கை சுற்றி கட்டுதல் மண் மாதிரி பரிசோதனை செய்து அதன் ஆய்வு அறிக்கை வழங்க கோருதல் தொடர்பாக

- பார்வை :
1. தேசிய பசுமை தீர்ப்பாயம் (தென் மண்டலம்) வழக்கு எண் OA 99 of 2017
  2. இந்நகராட்சிகடத்தம் நக.எண்.1325/2017/எச் 1 நாள்.10.08.2021
  3. தங்கள் பரிசோதனை அறிக்கை நாள்.24.08.2021
  4. NGT Order No 99 of 2017 (SZ) Dated 09.12.2021
  5. இவ்வலுவலை கடிதம் நக.எண் 3395/2018/எ1 நாள்.21.12.2021
  6. Director CES Anna university Chennai Letter No. 0748/DIR CES Gobichettipalayam Municipality 2021-22 Dated 10.01.2022

கோபிசெட்டிபாளையம் நகராட்சிக்கு சொந்தமான கரட்டுர் உரக்கிடங்கினை வேறு இடத்திற்கு இடம் மாற்றும் செய்வது தொடர்பாக தென் மண்டல தேசிய பசுமை தீர்ப்பாயத்தில் தொடரப்பட்ட வழக்கிற்கு (OA No 99 of 2017) பார்வை 2 இல் காணும் இவ்வலுவலை கடிதத்தின் படி மண் பரிசோதனை தங்கள் பல்கலைக்கழகம் மூலம் மேற்கொள்ளப்பட்டு அதன் அறிக்கை (Analytical Report) பெறப்பட்டுள்ளது. மேற்படி அறிக்கையில் Arsenic அளவு அனுமதிக்கப்பட்ட 20mg/kg அளவை விட கட்டுதலாக முறையே 172 mg/kg, 199 mg/kg மற்றும் 185 mg/kg என உள்ளது.

மேற்படி ஆய்வு அறிக்கை பசுமை தீர்ப்பாயத்தில் சமர்ப்பிக்கப்பட்டதில் பார்வை 4 இல் காணும் NGT உத்திரவில் மேற்படி இடத்தில் கட்டுதலாக உள்ள Arsenic அளவினால் ஏற்படும் பாதிப்பு குறித்தும் அதனை எவ்வாறு குறைப்பது என்பது குறித்தும் அறிக்கை கோரப்பட்டதற்கு இணங்க பார்வை 5 இல் காணும் இவ்வலுவலை கடிதம் மூலம் இப்பணியின் Bio Mining Project Management Consultant The Director CES Anna University Chennai அவர்களிடம் உரிய ஆலோசனைகள் கோரப்பட்டது அதற்கு பார்வை 6 இல் காணும் கடிதத்தில் மேற்படி கரட்டுர் உரக்கிடங்கினை சுற்றி கட்டுதலாக இன்னும் சில மண்மாதிரிகள் (Up stream and down Stream Characters) மேலும் Bio-earth (Fine Soil) சோதனை தமிழ்நாடு வேளாண்மை பல்கலைக்கழகம் மூலம் மேற்கொண்டு மேற்படி கட்டுதலாக உள்ள Arsenic அளவினை உறுதி செய்ததின் மேல் நடவடிக்கை தொடரலாம் என தெரிவிக்கப்படுகிறது. மேலும் Bio Earth Test Report analysed By M.s.Chennai Testing Laboratory Private Limited, Chennai இன் 09.10.2020 ஆம் தேதிய அறிக்கையில் ஆர்கனிக் as AS 0.1 0 mg/kg என்ற அளவில் உள்ளது என கூறப்பட்டுள்ளது.

எனவே தாங்கள் கோபிசெட்டிபாளையம் நகராட்சிக்கு சொந்தமான கரட்டீர் உரக்கிடங்கினை கற்றி கருதல் மண் பரிசோதனைகள் (Up stream and down Stream Characters மற்றும் Bio - earth (Fine Soil ) ) மாதிரிகள் எடுத்து பரிசோதனை செய்து அதன் அறிக்கையினை வழங்குமாறும் அதற்கான கட்டண விபரங்கள் கிடைக்கப்பெற்றவுடன் தொகை செலுத்தப்படும் எனவும் இதன் மூலம் பணிவுடன் நெரிசித்துக்கொள்ளப்படுகிறது.

  
ஆணையாளர்  
கோபிசெட்டிபாளையம் நகராட்சி

இணைப்பு

1. Chennai Testing Laboratory Pvt Limited., Chennai Report Enclosed .
2. TWAD District Level Water Testing Laboratory Test Report 15.12.2021 தேதிய Report

நகல் உதவிப்பொறியாளர் S. Gomathi உதவிப்பொறியாளர், கோபிசெட்டிபாளையம் நகராட்சி  
உரிய நடவடிக்கைக்காக.



CENTRE FOR ENVIRONMENTAL STUDIES  
ANNA UNIVERSITY, CHENNAI-25.

Dr.S.KANMANI  
PROFESSOR & DIRECTOR

2235-9009, 9011

*directorcesau@gmail.com*

Lr.No. 0153/DIR/CES/ Gobichettipalayam Municipality /2021-22

Dated: 07.12.2021

To

The Commissioner,  
Gobichettipalayam Municipality,  
Gobichettipalayam – 638476

Sir/Madam,

Sub: CES- Project Management Consultant- "Solid Waste Management - Gobichettipalayam Municipality - removal of the Legacy Waste dumped (4000 cum) through bio-mining"- Progress and current status - Reg.

- Ref: 1. Letter No. 3395/2018/E1 Dated 19.11.2018.  
2. Letter No. 3395/2018/E1 Dated 29.09.2021.  
3. NGT order No. 99 of 2017 (SZ) Dated 31.08.2021.

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Gobichettipalayam Municipality has engaged Centre for Environmental Studies, Anna University, Chennai as a Project Management Consultant for Biomining of the Karattur road compost yard vide reference (1). Based on the direction by the NGT, Gobichettipalayam Municipality has engaged Tamil Nadu Agricultural University, Coimbatore (TNAU) to analyse the soil sample to check if there is any contamination due to dumping of waste vide reference (2). NGT has directed Gobichettipalayam Municipality to submit the compliance report of the project vide reference (3). In this regard, "The Status report on Biomining at Karattur road compost yard of Gobichettipalayam Municipality" is submitted for your kind perusal.

The Gobichettipalayam Municipality has engaged M/s. Sri Sivaraman & Co., Gobichettipalayam as the Concessionaire as per the terms of the Work Order (ROC. No. 3395/2015/E1 dated 30.10.2018) for the removal of 40,000 m<sup>3</sup> of the legacy waste dumped in the Karattur road compost yard. The Centre for Environmental Studies (CES), Anna University, Chennai, has evaluated the DPR in March 2019 and ascertained that the volume of legacy waste at Karattur Road compost yard of Gobichettipalayam Municipality as 40,000 m<sup>3</sup> (Road level as Reference level) and acting as Project Management Consultant (PMC) for the biomining of legacy waste. Accordingly, CES Team has periodically visited the site and measured the waste present at site, which is found to be 42682 m<sup>3</sup>. Due to the continuous dumping of fresh waste until 2020, the waste present at site is observed to exceed the DPR quantity. A new work order (ROC. No. 2152/2021/E1 dated 29.10.2021) has been issued to M/s. Explosive Enterprises, Gobichettipalayam to biomine the additional quantity of 2682 m<sup>3</sup> in three months contract period and the work is yet to be initiated.

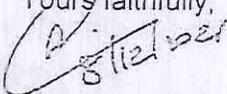
Based on the observations by CES Team during its site visits and as per the operation and disposal records, it is found that 36,822 m<sup>3</sup> of waste has been processed and disposed till August 2021.

With reference to the Letter no. 3395/2015/E1 dated 29.09.2021, Gobichettipalayam Municipality reported that the soil samples (03 samples) were collected from Karattur Road compost yard of Gobichettipalayam Municipality and characterised by Tamil Nadu Agricultural University, Coimbatore (TNAU) and found that the soil contains arsenic in the range of 172 to 199 mg/kg. However, the bio earth sample (one-time) analysed by M/s. Chennai Testing Laboratory Private Ltd., on behalf of the biomining concessionaire reported that the arsenic in bio-earth is below detectable limit (i.e. 0.1 mg/kg) (copy of the reports has been attached below). Further, the ground water samples taken in the nearby areas of dumpsite analysed by Joint Committee constituted by Honourable NGT(SZ) in OA no. 99 of 2017 filed by Mr. R Dinesh, regarding the dumping of Municipal Solid waste by the Gobichettipalayam Municipality, have reported that arsenic concentration is below detectable level in all the water samples.

Hence, it is recommended that the Gobichettipalayam Municipality may collect few more number of soil samples from in and around (upstream and downstream directions) the dumpsite as well as bio-earth samples from biomining process and analyse through TNAU to reconfirm the presence of Arsenic.

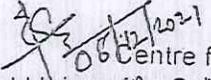
Thanking you,

Yours faithfully,

  
DIRECTOR-CES

Encl:

- (i) Soil test report analysed by Tamil Nadu Agricultural University, Coimbatore, Chennai - 25.
- (ii) Bio earth test report analysed by M/s. Chennai Testing Laboratory Private Ltd., Chennai

  
Director  
Centre for Environmental Studies

Soil test report analysed by Tamil Nadu Agricultural University, Coimbatore

TAMIL NADU AGRICULTURAL UNIVERSITY  
DEPARTMENT OF ENVIRONMENTAL SCIENCES  
DIRECTORATE OF NATURAL RESOURCE MANAGEMENT  
COIMBATORE - 641 003



ANALYTICAL AND ADVISORY UNIT

ANALYTICAL REPORT

Nature of Sample : Soil Samples

Location : Compost yard, Karattur, Gobichettipalayam

Parameters Analyzed : As below

Result

Parameters	Sample -1	Sample- 2	Sample-3
pH	9.23	9.01	9.03
EC (dS/m)	0.95	0.90	0.89
Total Arsenic (mg/kg)	172	199	155
Total Cadmium (mg/kg)	BDL	BDL	BDL
Total Chromium (mg/kg)	19.00	13.50	13.00
Total Lead (mg/kg)	6.00	1.00	2.50
Total Mercury (mg/kg)	BDL	BDL	BDL
Total Nickel (mg/kg)	BDL	BDL	BDL
Total Copper (mg/kg)	BDL	BDL	BDL
Total Zinc (mg/kg)	6.00	19.50	17.50

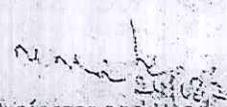
BDL - Below Detectable Limit

All the heavy metals except Arsenic are within the permissible limit

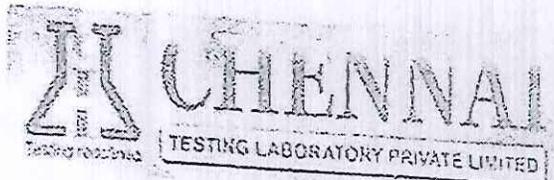
Maximum Permissible limit for As in soil : 20 mg/kg

Note: The above results are communicated with the following conditions

- The results indicate only the actual content of parameters requested by the stakeholders for the samples provided by them.
- In no way, this can be claimed as a complete composition / makeup of the sample.
- This communication cannot be treated / recommended as a certificate.
- Its use for publicity, arbitration or as evidence in legal disputes is strictly forbidden.

  
Professor and Head  
Environmental Sciences

Bio earth test report analysed by M/s. Chennai Testing Laboratory Private Ltd.,  
Chennai



TESTING LABORATORY PRIVATE LIMITED

CIN: U74999TN2005PTC067551

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TEST REPORT

Report Number and date	CTL/CH/N-6116/2020-21 & 08.10.2020		
Sample Number	N-6116/20-21		
Customer Name & Address	M/s. Sri Sivaraman & Co.,		
	No.8, Municipal Complex, Nathy Main Road, Gubichettipalayam - 632476.		
SAMPLE DETAILS			
Sample Description By Customer	Compost		
Quantity Received	1 Kg	Sampled By	Customer:
Date of Receipt	29.09.2020	Sample Condition	Good & Received in Packed Condition
Analysis Starting Date	30.09.2020	Analysis Completion Date	07.10.2020

Test Results:

The above sample tested as received and results are as follows:

S.No	PARAMETERS	TEST METHOD	UNITS	RESULTS	REQUIREMENTS*
1	Arsenic as As	Schedule - IV, Part D(12) of FCO, 1985	mg/kg	BDL(DL:0.1)	Max.10.0
2	Mercury as Hg	Schedule - IV, Part D(11) of FCO, 1985	mg/kg	BDL(DL:0.2)	Max.0.15
3	Lead as Pb	Schedule - IV, Part D(10) of FCO, 1985	mg/kg	86.20	Max.100.0
4	Cadmium as Cd		mg/kg	BDL(DL:2.0)	Max.5.0
5	Chromium as Cr		mg/kg	94.60	Max.50.0
6	Copper as Cu		mg/kg	276.20	Max.500
7	Zinc as Zn		mg/kg	592.15	Max.1000
8	Nickel as Ni		mg/kg	46.00	Max.50.0

BDL - Below Detection Limit, DL - Detection Limit, Min - Minimum, Max - Maximum, NMT - Not More Than

\*As Per Biofertilizers and Organic Fertilizers in Fertilizer (Control) Order, 2003 [Schedule - IV (Part - A (1)) - Specifications of Organic Fertilizers]

\*\*\*END OF REPORT\*\*\*

For Chennai Testing Laboratory Pvt Ltd

A. P. S. S. S. S.

Authorized Signatory

A. P. S. S. S. S.

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

**Application No. 99 of 2017**

**R. Dinesh,  
S/o. M.S. Ramasamy,  
Pudupalayam,  
Gobichettipalayam Taluk,  
Erode District.**

**...Applicant**

**Vs**

**Gobichettipalayam Municipality,  
Re. by its Commissioner,  
Gobichettipalayam, Erode & 2 Ors.**

**...Respondents**

**REPORT OF THE JOINT CHIEF  
ENVIRONMENTAL ENGINEER  
(MONITORING), TNPCB, SALEM**

**Advocate for Respondent No. 3  
Tmt. Shanmugavalli Sekar,  
Advocate, Chennai.**

**Date:01.02.2022.**

**Date of hearing on:03.02.2022**

THE UNIVERSITY OF CHICAGO  
DEPARTMENT OF CHEMISTRY

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