

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No. 222 of 2024 (SZ)

In the matter of:

Ekambaram Raju ,
Namakkal District and anr.

... Applicant(s)

Versus

The State of Tamil Nadu ,
Rep by its Secretary to Govt., PWD,
Chennai and ors.

...Respondent(s)

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Through

Dr. D. Shanmuganathan
Standing Counsel of Tamil Nadu
National Green Tribunal
Southern Zone, Chennai

DATE:22.10.2024

Sender
Rumegaraj, 1.A.S., District
Magistrate, Namakkal District,
Namakkal.

recipient 1

1. District Revenue Officer, Namakkal.
2. Executive Engineer, Govt./Assistant
Director (Geology),
Groundwater Division, Salem.
3. Central Underground Board Scientist,-D
4. District Environmental Engineer, Namakkal.
5. The Executive Engineer, Public Works Department (WRO),
Namakkal
6. Divisional Revenue Officer, Thiruchengode.
7. Revenue Divisional Officer, Namakkal.
8. Commissioner, Rajipuram.
9. Commissioner, Thiruchengode.
10. Assistant Director (Municipalities), Namakkal.
11. Assistant Director (Municipalities), Namakkal.
12. Assistant Director (Minerals), Namakkal.

5.5.6.1877/2020/1-4//No. 24.2-.2020.

sir,

Meaning: Case - Order of Hon'ble Madras High Court - Namakkal District -
Constituency of Vigilance Committee to take action against
illegal extraction of ground water.

View: 1. Hon'ble Madras High Court order dated 03.10.2018/
W.P.Nos.28535 to 28539/2014.

2. Ordinance No.142, Public Works Department dated 23.07.2014 and
Ordinance No.257, dated 01.10.2018.

According to the Madras High Court order in view 1 and the order in view 2,
it is said that for taking ground water in wells and using it for commercial purposes, the
certificate of ground water should be obtained and ground water from Govt. Taking
groundwater for commercial purposes without obtaining a withdrawal certificate

It is also mentioned that the use is an illegal activity.

Uninterruption of regular ground water extraction as per vision 1 guidelines
Ground water in wells/bore wells of certified institutions

It has been advised to set up a monitoring committee under the leadership of the District Collector to take action against those who draw more than the permitted amount and those who draw groundwater illegally.

As per the order of vision 1 and guidance of vision 2, a district level monitoring committee is constituted in Salem district with the following officers.

Namakkal District Monitoring Committee

V. No.	Officer / Designation Name	Assigned responsibility
1.	District Head, Namakkal.	Chairman
2.	District Revenue Officer, Namakkal.	Vice President
3.	Executive Engineer, General / Assistant Director(s), Land Water Division, Salem.	Secretary
4.	Central Groundwater Board Scientist (D)	member
5.	District Environmental Engineer, Namakkal.	member
6.	Executive Engineer, Public Works Department, (RWO) Namakkal	member
7.	Divisional Revenue Officer, Thiruchengode.	member
8.	Revenue Divisional Officer, Namakkal.	member
9.	Commissioner, Rajipuram.	member
10.	Commissioner, Thiruchengode.	member
11.	Assistant Director (Municipalities), Namakkal.	member
12.	Assistant Director (Municipalities), Namakkal.	member
13.	Assistant Director (Minerals), Namakkal,	member

In case of wrongful and illegal extraction of underground water in Namakkal district, even if the complaints are received in this regard, it is advised to establish the veracity of the complaints and initiate criminal proceedings against the individual (under IPC section).

Further, monitoring committee review meeting regarding illegal use of ground water and excessive use of ground water in Namakkal district will be held in the 2nd week of every month in coming months.

Therefore, if any complaint is received regarding the above matter, it is advised to attend the inspection meeting with the details of the action taken on it.

Attachment: Correspondence copies of View 1 and View 2.

MMU
24/12/2020
Head of District Administration,
Namakkal District,
Namakkal.

Water Resources Department

Sender

recipient

Mr. K.
Suresh Assistant Director,
Land Water Geology Sub Division,
Salem-7.

District Collector, District
Collector's Office, Namakkal.

K.No. 168/S.B./Nineego/Se/Bukarmanu/2024/ Dated. 14.08.2024.

Dear Ammayir,

Meaning: Case in National Green Tribunal O.A.222/2024/ M/s.Sandosh Moiss and Industries Company operating in Plot No.24/1 and 133/2, Namakkal District, Rajipuram Circle, Mangalapuram Village, without obtaining clearance certificate from bore well. Submission of inspection report on 14.08.2024 in relation to taking up company -
Regarding

View:

1. Public Prosecutor, National Green Tribunal, South Zone, Chennai Katchevi News Date.12.08.2024.
2. District Collector's Interview Assistant (General), District Collector's Office, Namakkal
க.எண்.சி.ப.33/2024/நாள்.12.08.2024.
3. Ordinance No. 37, Water Resources Department dated: 07.03.2024.
4. Ordinance No. 142, Department of Public Works dated: 23.07.2014.
5. Namakkal District Groundwater Monitoring
NO:18772/2020/A.4/Namakkal Date:24.02.2020 Full

O.A.222/2024 in the National Green Tribunal seen in view 1 Interview of the District Collector regarding the order and view 2 passed in the case As per letter from Assistant (General), Namakkal, District Namakkal, Rasipuram Circle, Mangalapuram Village, Field No.24/1 and 133/2 M/s.Sandosh Mice and Industries from Borehole In a company that is using ground water without obtaining a clearance certificate Today (14.08.2024) Salem Water Resources Department Assistant Director (Geology), Asstt Field survey with Geologist and Revenue Inspector, Mangalapuram Further my report is submitted as follows.

1. Field in Mangalapuram Village, Rasipuram Circle, Namakkal District No.135/1 in the name of M/s..Sandosh Mois and Industries

A company that manufactures by-products from maize is operating.

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2. The company is using three bore wells in the following latitudes for its plant use.

a). Borehole 1-latitude 11.565730N,

The latitude is 78.375869E

b). Borehole 2-latitude 11.564274N,

The latitude is 78.379068E

e). Borehole 3-Latitude 11.568165N,

The latitude is 78.371607E

3. Tamil Nadu Pollution Control Board has granted permission to this company in 2015 to draw and use 220 KLD of ground water. Also, the company's Pollution Control Board certificate has been renewed till March 2026.

4. According to the order seen in view 3, village Mangalapuram (firka) has been classified as Over Exploited Inner Circle.

5. According to the ordinance in point 4, ground water should be taken from bore wells and used for the daily use of industries and companies, and the ground water integrity certificate should be obtained. Similarly, in the villages in the inner circle which are classified as Over Exploited inner circle, no objection certificate is given for extracting ground water from borewell and using it for plant use.

6. The Chief Engineer, State Land and Surface Water Resource Reference Center, Chennai, has not issued ground water clearance certificate to the above M/s..Sandosh Mois and Industries company for drawing ground water from bore wells in its premises and using it for plant use.

It is reported.

7. Chief Engineer, Director, State Land and Surface Water Resources Information Centre, Taramani, Chennai, taking ground water and using it for commercial purposes without obtaining ground water abstraction certificate is an illegal act, therefore legal action can be taken through Namakkal District Ground Water Monitoring Committee as seen in point 5.



Assistant Director, Land

Water Geology Sub Division, Salem.

Dispatch

Mr. Su. Saravanan, B.Sc.,

District Collector,

Rasipuram.

Receiving

District Collector,

Namakkal.

N.K.No. /2024/B5, : 14.08.2024

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mother water

Meaning: Green Tribunal - Namakkal District - Rasipuram Circle
- Mangalapuram Village - Field no. 24/1 and some. Mr.
Santhosh Ltd factory without permission -
Absorption of ground water - Complaint report -
Regarding.

View: 1. District Collector's office phone message. 14.08.2024,
நாள்
2. Date of Revenue Inspector's Report, Mangalapuram. 14.08.2024.

According to the information received in view 1 regarding the case filed in the National Green Tribunal regarding the exploitation of underground water in the factory of Santhosh Limited located in Mangalapuram Village, Rasipuram Circle, Namakkal District, the Assistant Director of Water Resources Department, Mangalapuram, Revenue Inspector and Village Administrative Officer today 14.08.2024 joint investigation. And after studying and considering the report given in view 2 I submit my report as follows.

Santosh Limited factory operating in the said Mangalapuram village has one bore well in Plot No. 133/2 and two bore wells in Plot No. 24/1. The said plot number is 133/2 Village

Accounts bear Patta No. 3511 in the name of Santhosh Limited Mangalapuram with many more field numbers. Also Field No. 133/2 in Village Accounts Patta No. 507 with one more number in the name of Santosh Mice Industries Limited. The Assistant Director of Water Resources Department of the said Santosh Limited factory inspected the bore wells located at Plot No. 24/1,133/2. I humbly inform you that during the said audit and inspection, the factory management of Santosh Limited has not submitted any documents for obtaining the license to draw water from the said bore well and use it for the factory.



Vattayar,
Rasipuram.

Copy :
Commissioner of Revenue,
Namakkal - Submitted for information.

District Groundwater Monitoring Committee under the Chairmanship
of Namakkal District Government held a review meeting on 14.08.2024
at 5.00 pm.

Date: .08.2024

1.5. Go. COLREV/37548/2023(M4)

A review meeting of District Ground Water Monitoring Committee was held on 14.08.2024 at 5.00 PM under the chairmanship of Namakkal District Collector.

Details of those who attended the study meeting

1. Head of District Administration, Namakkal
2. The District Revenue Officer, Namakkal,
3. Assistant Director Geological Sub-Division, Salem
4. District Collector, Rasipuram.

Meeting proceedings

- Working in Namakkal District, Rasipuram Circle, Mangalapuram Circle, Mangalapuram Village. Santhosh Mois and Industries company has been illegally using ground water from bore well without obtaining clearance certificate filed in South Region Green Tribunal case no. 222/2024 was discussed in relation to

- In connection with this case, Salem, Assistant Director, Sub-division of Groundwater, Salem, Assistant Geologist, Salem and Mangalapuram District Revenue Inspector, Mangalapuram Village Field No. 24/1, 133/2 from bore wells at three (3) places. A company named Santosh Mois and Industries is taking water for industrial use and using it commercially 14.08.2024

He reported that it was found in the joint survey.

- Assistant Director, Nit., Land Water Sub Division, Salem vide Ordinance no. 37 Water Resources Department Dated: 07.03.2024 Mangalapuram Village, Mangalapuram CD is classified as Over Exploited CD

That it has been done, and according to Ordinance no. 142 Public Works Department Dated: 23.07.2014 for any factories in this circle

To provide certificate of unobstructed ground water for drawing and using ground water He said that there is no way. ...

- The above d/s. Santhosh Maif and Industries was informed by the Assistant Director, Land Water Sub Division, Salem that they have not obtained the Ground Water Continuity Certificate from the Chief Engineer, Dr., State Land and Surface Water Resources Reference Centre, Tharamani, Chennai for taking ground water for commercial purposes.
- Finally, without obtaining a clearance certificate from the Water Resources Department, taking water from the bore well and using it commercially, Mr. Resolved that the Assistant Director, Land Water Sub Division, Salem may be directed to close and seal the three bore wells of Santosh Mois and Industries and submit a report.

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Chairman, District Ground Water
Monitoring Committee /
District Magistrate,
Namakkal.

1. District Revenue Officer,
Namakkal.
2. Assistant Director, Nevt.,
Land Water Sub Division, Salem.
3. District Collector, Rasipuram.

Santhosh Maif

Santhosh Maif

Santhosh Maif

Activities of Chairman, District Ground Water Monitoring Committee,
Namakkal and Head of District Administration

Born: Maru.S.Uma, E.A.P.,

நெ.க.எண். COLREV/37548/2023(M4)

நாள்: 14.08.2024

Meaning: District Ground Water Monitoring Committee - Namakkal District - Rasipuram Circle Mangalapuram Circle Working in Mangalapuram Village D/L. Santhosh Mois and Industries Company filed a case no. 222/2024 relating to ordering of capping and sealing of bore wells.

- View:
- 1). Ordinance no. 142 Public Works Department Dated: 23.07.2014.
 - 2). Ordinance no. 37 Water Resources Department Dated: 07.03.2024.
 - 3). Chennai Southern Zone Green Tribunal Case no. 222/2024 9 : 24.07.2024.
 - 4). Assistant Director, Mr., Land Water Sub Division, Salem Report letter no. 168/SEC/NINECO/SE/BUKARMANU/2024 DATED: 14.08.2024.
 - 5). Namakkal District Ground Water Monitoring Committee Meeting Proceedings Date: 14.08.2024.

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Order:-

Evidence of non-disruption of ground water in Ordinance found in view 1
Prohibition of taking water from borewells for commercial purposes without obtaining
Public works, ground water for purposes other than exempted species
Chief Engineer, Public Works Department, State Land and Surface Water Resources
To get clearance certificate from Specification Centre, Taramani, Chennai
Evidence of non-obstacles in over-exploited areas
It is also reported that it is not provided. In the decree found in view 2,
Classification of Rasipuram Circle, Mangalapuram Circle as Over Exploited
has been done.

In this case, Namakkal District, Rasipuram Circle, Mangalapuram Circle,
Working in Mangalapuram village. Santosh Mois and Industries Co
Draw ground water from borewell without obtaining clearance certificate
OA no.
222/2024- Mr.Ekambaram Rajee and Mr.Raja Kandasamy of the said village
have filed a lawsuit.

In connection with this case, Salem, Assistant Director, Land Water Sub-Division, Salem along with Assistant Geologist, Salem and Mangalapuram Circle Revenue Inspector conducted joint field survey on 14.08.2024, Mangalapuram village field no. 24/1, 133/2 from bore wells at three (3) places. A company named Santosh Mois and Industries was found to be taking water for industrial use and using it commercially

Reported.

Also, the above D/s. Santhosh Mois and Industries has not been provided ground water clearance certificate by the Chief Engineer, State Land and Surface Water Resources Reference Centre, Taramani, Chennai for taking ground water from bore wells in the premises of the company and using it for plant use. Taking and using it for commercial purposes is an illegal act and legal action can be taken through the Namakkal District Ground Water Monitoring Committee, he said.

In this case, the matter was discussed in the meeting of Namakkal District Groundwater Monitoring Committee and it was decided to close and seal the three bore wells of the said company, which is taking water from bore wells and using it commercially without obtaining a clearance certificate from the Water Resources Department.

In this meeting, based on the report of the Assistant Director, Sub-Division of Groundwater, Salem and the activities of the District Groundwater Monitoring Committee meeting, the working in Rasipuram Circle, Mangalapuram Circle, Mangalapuram Village. Santhosh Mois and Industries is hereby directed to Salem, Assistant Director, Neetu., Nilandeer Sub Division and Rasipuram Vattakatshiar to close and seal the three borewells illegally taking water without obtaining clearance certificate from the Over Exploited area.


Chairman, District Groundwater
Monitoring Committee /
District Magistrate,
Namakkal.

Receiving

1. Assistant Director, Nevt., Groundwater Sub Division, Salem.
2. Collector of Revenue, Rasipuram.
3. Deputy Superintendent of Police, Rasipuram.

