

Proceedings of the meeting conducted by the State Level Monitoring Committee of National Green Tribunal for Solid Waste Management in Tamilnadu held at Additional Collectorate Office Conference Hall on 01-02-2020 at 10.30 am on hearing the petitions regarding Udhagai and Gudalur Dump Site.

IN THE CHAIR: HON'BLE JUSTICE DR.P.JYOTHIMANI

The following officials participated in the meeting.

1. Dr.K. Baskaran, I.A.S., Commissioner of Municipal Administration.
2. Thiru.D. Sekar, Member Secretary, Tamilnadu State Pollution Control Board.
3. Dr. Kurian Joseph, Professor, Centre for Environment Studies, Anna University.
4. Mrs.S. Nirmala, District Revenue Officer, The Nilgiris.
5. Thiru.D. Guruswamy, District Forest Officer, The Nilgiris.
6. Thiru.P.S. Livingston, DEE, Tamilnadu Pollution Control Board, Udhagai.
7. Mrs.R. Saraswathi, Municipal Commissioner, Udhagai.
8. Mrs.A.Sulthana, Regional Director of Municipal Administration, Tiruppur.
9. Thiru.S. Venkatesh, Regional Executive Engineer o/o RDMA, Tiruppur.
10. Dr. Murali sankar, Municipal Health Officer, Udagamandalam.
11. Thiru.C. Ravi, Executive Engineer, Udthagamandalam Municipality.
12. Dr. J. Ragunathan, Municipal Health Officer, Coonoor Municipality.
13. Thiru. D. Sakthivel, Manager & Commissioner i/c Nelliyalam Municipality.
14. Thiru. S. Venkatachalam, Municipal Engineer, Gudalur Municipality i/c & Nelliyalam Municipality.
15. Thiru.C.Balakumar, SI, Nelliyalam Municipality.
16. Thiru.S.Elangovan, Town Planning Officer, Udthagamandalam.
17. Thiru. J.Sathish, AE i/c TNPCB, Udthagamandalam.
18. Thiru. K.Nagaraj, Commissioner i/c Gudalur Municipality.
19. Thiru. N.Saravanan, Sanitary Inspector, Gudalur Municipality.
20. Thiru.P.Manimaran, DEE, TNPCB, Coimbatore.
21. Thiru. A.Nandagopal, Assistant, Udthagamandalam Municipality.
22. Thiru.V.Murugesan, REE, Chengleput Region, (Special Invitee).
23. Thiru.K.Jacob Mathew, Senior Advocate
24. Thiru.C. Arjunan, Advocate.
25. Thiru.P. Radhakrishnan, Petitioner in the NGT, Udthagamandalam.
26. Thiru.C.N.Prem Sagar, Petitioner in the NGT, Gudalur.
27. Thiru.M. Nagalingam, Paptin Thiagi Land.
28. Thiru. Madhayyan, Petitioner in the NGT, Gudalur.
29. Thiru.V.Rajendran.Public.
30. Thiru.P.Chandrasekar, Public, Thiagi land.
31. Thiru.S.Senthil Kumar, Public, Thiagi land.
32. Thiru. G.Chandrasekar, Public.
33. Thiru. S.Suresh, Public.

Dr.K.Baskaran, Commissioner of Municipal Administration, while welcoming the participants, has explained the importance of carrying out the bio mining proces of the legacy waste at Theetukkal dump yard and action

taken in this regard. He also informed that fresh waste shall not be dumped in the site when once bio mining process is started. He referred to the restoration of land effected in Sembakkam and Kumbakonam after bio mining process.

Mr.P.Radhakrishnan, petitioner before the NGT, whose agricultural land is in the downstream who complained that due to leachate formed in the dump site his lands are affected, has fairly stated that as per the earlier direction of the Monitoring Committee, the Municipality has constructed compound wall for fairly long distance and that a drainage system has been constructed to collect the leachate and dispose safely and therefore as on date there are no leachate discharge in his land. However, he requested the Committee to direct the Municipality to continue the same. He has also pointed out that some quantity of waste dumped in his land is still in existence and requested for a direction to remove. The Commissioner has promptly replied that the said waste will be removed immediately. He has another request to the Committee that a passage had been in existence leading to Mysore, but the same has been covered by the dump. He was informed that the said issue will be discussed with the District Collector, who was unable to participate as she was held up in Delhi, and steps will be taken to solve along with the Commissioner.

Mr.M.Nagalingam, who is also having agricultural lands on the downstream side complained that during dry seasons the leachate discharged in to his land is very less but it is high in rainy season, which could be collected and disposed properly with the arrangements made by the Municipality and requested that drinking water supply shall be made for all residents in 75 households. He was assured of appropriate solution through the District Administration. In fact, when the District Collector has joined in the inspection at Gudalur in the afternoon the said issue was discussed and the District Collector has promptly assured that she will take immediate action. There is also another complaint from the public that while transporting the waste by lorries to the dump yard by the Municipal staff there are spills of waste on the road leading to the dump yard at Theetukkal. The Municipal

Commissioner has assured to take immediate action in removing the waste and also ensure that in future the Lorries will be covered during the transportation of waste for disposal. Mr.Radhakrishnan and other residents of Theetukkal have submitted a written representation to the Committee.

Mr.Jacob Mathew, Senior Advocate, Mr.Arjunan, Advocate and their client Mr.C.N.Prem Sagar, petitioner before the NGT in respect of solid waste in Gudalur, have made presentation of their case. Mr. PremSagar, who is stated to be a retired Forester fairly admitted that as of now in the past nearly five years after the NGT has granted interim order there are no dumping of garbage at Thorappalli. But the accumulated non bio degradable garbage already dumped has not been removed till date. He has also stated that the DFO, Gudalur was involved in deforestation by putting up a building in the forest for DFO Office at Makkamoola along Mysore Road. His complaint was that in spite of earlier direction of the Committee not to proceed with the said construction he has proceeded and only after the intervention of the District Collector the work was stopped. He also complained that there was some construction of guest house in the forest behind the proposed DFO office under construction at Makkamoola and this amounts to non forest activity in the forest which is not permissible. The above said issues of construction were not actually before the NGT. However in order to ascertain the facts by an inspection which was not possible on the previous visit due to heavy rain, the Committee directed the DFO, Udhagamandalam who was holding additional charge for the post of DFO, Gudalur not to proceed further. Today during the meeting in the morning session at Ooty, the DFO, Gudalur was not present and therefore the petitioner was informed that it will be ascertained during the inspection at Gudalur in the afternoon and in the presence of the DFO, Gudalur and the issue will be sorted out.

Mr. Prem Sagar and Mr. Mathayyan have complained that in Chelukkadi in Gudalur, and Kuruthuppalli, even though no dumping takes place for the past nearly five years due to the interim order of the NGT, nearly 200 loads of

garbage was dumped prior to the order and also stated that the Municipality has covered covered with mud over it. Further they stated that huge quantity of bio medical waste was also are dumped illegally in many places causing environmental hazard and there is a possibility of water pollution since there is a water body nearby and therefore they were seeking intervention of the Committee to issue appropriate direction to the Municipality and the PCB to remove them in accordance with the rules. As stated above, they were informed that appropriate directions would be issued on inspection in the afternoon. Mr. Nagalingam, another resident of Gudalur owning Thiagi land requested the Committee to direct the District Collector for providing water supply pipeline by the Panchayat. This aspect was informed to the District Collector in the afternoon who agreed to look into the said grievance immediately.

Professor Kurian Joseph from Anna University, the Solid Waste Management Expert, while appreciating the efforts taken by the Municipality after the last meeting, particularly the construction of compound wall and leachate collection drains to prevent the further leachate flown downstream, insisted that we must learn from the past and no fresh waste must be dumped in to the site when once bio mining starts in the site. Leachate drained in the leachate tank to be transported to the nearby sewage treatment plant and treated. Records of the quantity of leachate collected and treated shall be maintained by the Municipality. He has given his expertise opinion about the various options which can be followed regarding the waste management particularly about the bio degradable waste taking in to the cold climatic condition of Ooty He has explained about the aerated static pile composting and invessel composting process as options that can be pilot tested before full scale trial. While appreciating the source segregation initiatives in a good level, it was insisted that the efforts needs to be sustained with community participation. While the efforts of the Municipality in putting up the compound wall up to certain level is good, he suggested that the wall can be extended at least up to the place agricultural lands are situated downstream even though

ideally the compound wall must be for the entire land to secure it and to avoid the animals and cattles entering into the dump site He observed that the water samples from the well of the petitioner tested by the TNPCB is not indicating leachate contamination and suggested that the TNPCB, to continue regular monitoring of the well water to find out whether there is any contamination by leachate. Combustible should not be allowed to be accumulated to the Resource Recovery Centre to prevent possible fire accident which would cause damage to operating personal, the forest and wild animals. Space of windrow composting needs to be extended to address the fact that composting in cold climate will require more time and space. Machineries proposed for the Composting needs to be made functional as quickly as possible. Adequate manpower and supporting resources must be ensured for operation and maintenance of the Compost Plant.

Mr.Sekar, Member Secretary, TNPCB has submitted that the Board would make periodical collection of sample of leachate and water for testing the same. He suggested that the Municipality should ensure that waste is transported properly and no burning or fire accident takes place at Theetukkal. He also insisted to conduct a gap analysis of the existing waste management system to identify the deficiencies and take adequate actions to ensure proper implementation of the waste management system.

Mr.D.Guruswami, the District Forest Officer, Udthagamandalam, has informed the Committee that as per the direction of the Committee during the previous meeting, while the Municipality has submitted DPR related to the improvements proposed in the site at Theetukkal, the same will be proceeded further. Even though in the previous meeting the Municipality was directed to put up chain link fencing along with development of green belt throughout the boundary covering the entire 15 acres of land, he suggested to have wall throughout to avoid any animals entering into the site. He informed that the DGPC the user agency is carrying out the survey and the Municipal Commissioner has also agreed to work in coordination with the Forest

Department. He also agreed to expedite the process for exchange of lands as already agreed upon. It was also informed that the Municipality has already remitted amount for compulsory afforestation in the alternate land to be given to forest department in exchange of 15 acres of forest land in possession of the Municipality.

The Commissioner of Udthagamandalam Municipality in her reply has stated that as per the earlier direction of the Committee, compound wall to the extent of 59 meters, instead of wire fencing, has been constructed at the cost of Rs.29 lakhs and the remaining 240 meters will be covered with chain link fencing as directed, at the cost of Rs.47 lakhs in a month's time. She has informed the Committee that for bio mining proposal, technical sanction has been granted on 23.01.2020 and the tendering process will be started soon. She has informed the Committee that the legacy waste accumulated is estimated to be about 1, 60,000 cum. Heaping of the accumulated waste is being done and it will be completed by the end of May 2020. Old damaged bins which were accumulated in a large extent at Theetukka have been disposed as per the direction of the Committee and large area occupied by the said bins is now being effectively used for solid waste management. In respect of the leachate generation from the dump site, she submitted that the petitioners' lands in the downstream has been completely protected by constructing the peripheral drain as Leachate Collection Tank. Leachate collected in the tank are being send to STP by lorries and therefore the adjacent lands are protected from any leachate from the dumpsite. As stated above, this has been fully accepted by the petitioner before the NGT as well as the other owners. The Commissioner has also agreed to carry out IEC activities effectively and periodically to sensitize the tourists who are the large moving population in Ooty besides the residents. In respect of machineries for secondary separation of solid waste, the Contractor Ms. Mayo Vessels Machines told that out of 14 machines, they have supplied 3 which are major equipment and has agreed to supply the remaining within 45 days. The Project Director of the Company

who was also present in the meeting has agreed before the Committee that the supply of all machines with installation will be completed by 31.03.2020. The Commissioner has further stated that Windrows platform area of 4500 sq.m has been cleared and windrows composting of wet waste has been started from 15.08.2019 by which more than 1000 metric tonnes of wet waste is handled in windrows platform. She has also informed the Committee that Leachate Collection Tank has been constructed and completed at the cost of Rs.9.90 lakhs. Further, pursuant to the earlier direction of the Committee, 121 number of dumper bins were disposed of by an auction conducted on 27.08.2019 and the space is being used for waste processing. It is also stated by the Commissioner that cow dung from the compost yard has been cleared and sent to the Bio- Methanization plant for disposal. It is also stated by her that there are 6 MCCs and due to the adverse climatic condition the composting process is very slow and efforts have been taken for using hot blower technology which also failed due to low temperature prevailing in the town. At present 2 MCCs have been converted into Resource Recovery Centers, and the other centers are being converted into RRCs, waste collection depots and E-Waste collection center. She has also filed a written status report.

After extensive hearing of all stakeholders as narrated above, the Chairperson of the Monitoring Committee, while appreciating the efforts of the Udhagamandalam Municipality in implementing almost all directions issued in the previous meeting held on 08.08.2019, has agreed to issue further directions to both Udhagamandalam and Gudalur Municipalities after carrying out spot inspection at Gudalur in the afternoon. The residents of Theetukkal have also submitted a written representation.g

Accordingly, inspection of various identified places at Gudalur was carried out in the presence of the District Collector who joined after reaching from Delhi, the District Forest Officer, Gudalur Mr. Sumesh Soman IFS. Mr.Livingston, DEE, PCB, Udhagai who is also looking after Gudalur, Coonoor and all other places in the District, has accompanied. Mr.C.N.Premasagar, the

petitioner before the NGT was also present during the inspection apart from the Regional Director of Municipal Administration, Mrs.A.Sultana. The inspection at Thorappalli, Gudalur has revealed that there is accumulation of bio medical waste stated to have been dumped some years back. During inspection it was found that huge quantity of other solid waste dumped many years in many places inside the forest that have left uncleared. The Chairperson has given instruction to the DEE, TNPCB and the RDMA to see that both the bio medical and other waste are removed and the bio medical waste to be sent to the authorized facilitator for proper disposal and other solid waste sent to Theetukkal for carrying out bio mining along with the existing waste, as there is no place at Gudalur for disposal of the solid waste. The Committee has made inspection to the building constructed for DFO office, Gudalur stated to have been made by the Forest department in the forest at Makkamoola at Gudalur. As stated above, the said construction was not forming part of the NGT case filed by Mr. P.N.Premasagar, based on which the Committee functions to monitor the waste management at Ooty and Gudalur. However, as Mr. Premasagar raised it as an issue on the last inspection, an interim direction was issued by the Committee to the DFO, Udaghamandalam, not to proceed with the construction till spot inspection is made. Today, when the said place was inspected, it was found that the building supposed to be the DFO's office is on the road and not inside the forest. The present office of the DFO which is situated in the crowded place in Gudalur is grossly insufficient and not safe for keeping the records and therefore there is nothing wrong in the forest department in shifting its office in the new place at Makkamoola. However the Committee found that there are two red sandal well grown up trees in the campus and the concrete floor laid in the entrance of the office premises may affect the further growth of the said trees and its possible branches. Therefore the Committee directed the DFO, Gudalur, present to remove the concrete floor in the interest of preserving the said trees. He was directed to form a mud road for approaching the proposed office and also to develop the surrounding area

with green cover. The Committee finally visited the MCC/RRC of Gudalur Municipality in R.S.No1281, Ward 1, Gudalur Town.

After completing the enquiry conducted at Udhamandalam followed by the inspection at Theetukkal dump yard and inspection at various places at Gudalur as stated above and considering the totality of the situation and taking note of the improvements effected by the Udhamandalam Municipality relating to the solid waste management, the following directions are issued:

1. The Udhamandalam Municipality shall ensure that either in Theetukkal or in any other place in the District under its control the solid waste is not subjected to open burning. Stern action shall be taken against any person involved in such open burning of waste.

2. The Udhamandalam Municipality shall ensure that while carrying the waste through lorries proper coverage should be made and ensure that there will not be any spill over of the waste on the road or on the road corners. Such Lorries shall always be used to transport the waste fully covered.

3. The Monitoring Committee places on record its appreciation for the efforts taken by the Udhamandalam Municipality in construction of compound wall to the extent of 59 meters adjacent to the agricultural lands belonging to the petitioner before the NGT, at the cost of Rs.24.80 lakhs. In respect of the remaining 1240 meters surrounding the entire extent of the 15 acres of land forming the Theetukkal dump yard, the Municipality shall complete the construction of wall upto the area which are covered in agricultural activities downstream, and the remaining extent shall be covered by chain link fencing at the earliest and intimate the same to the Committee. As the DFO, Udhamandalam felt that the entire extent can be covered by wall in the interest of the wild animals, the Monitoring Committee while appreciating the said stand of the DFO, requests the Principal Secretary to Government, Department of Environment to take efforts whether the Department can contribute fund as grant for the construction of compound

wall. Such decision is required to be taken within a short period of 15 days, therefore, the Municipality can proceed to cover the remaining area by chain link fencing.

4. The accumulation of solid waste at Theetukkal and converting the same in to heaps, thereby avoiding the scattering of waste shall be completed by 31.05.2020.

5. While appreciating the completion of leachate Collection Drains and Collection Tank at Theetukkal dump yard, the Monitoring Committee directs the Municipality to continue to maintain and obtain any expert opinion as and when required.

6. Regarding the completion of the process of exchange of lands in lieu of the 15 acres of land at Theetukkal, while the Municipality has admittedly submitted its DPR about the development to be made by it in the site at Theetukkal, the Forest Department shall complete the process of diversion particularly when the Municipality has already deposited the amount for afforestation with the DFO. The Principal Secretary to Government, Department of Environment and Forest who is also a member of the Committee to use his good office in completing the above said process.

7. Secondary separation machineries which are to be installed at Theetukkal compost yard viz., shredder and screening of waste, conveyer belt etc., for which Rs.110 lakhs has been sanctioned, the contractor who represented before the Committee has undertaken to complete the supply of all machineries before the end of March 2020. The Municipality shall ensure procurement of those machineries and put them in effective use. Udagamandalam Municipality shall ensure that adequate man power and supporting resources are provided for the composting of the segregated wet wastes estimated to be at 22 t/day. TNPCB shall continue periodic monitoring of wells around the Theetukkal compost yard and take appropriate action based on the test results.

8. In respect of the legacy waste at Theetukkal, quantified approximately as 1,60,000 cu.m, for which the Project Sanctioning and Monitoring Committee is stated to have approved the scheme of Bio mining for Rs.856.76 lakhs under Integrated Urban Development Mission (IUDM) through G.O.(MS) No. 11 dated 23.01.2020, the Municipality shall take all necessary steps to initiate steps for technical sanction and further tender process. It is made clear that when once the process of bio mining is started, fresh waste shall not be brought to the site.

9. The District Collector has agreed to effect drinking water supply to the residents in Theetukkal particularly those residing near the dump yard and the same is recorded with appreciation.

10. The Commissioner, Udagamandalam Municipality in association with the District Administration shall conduct frequent IEC activities particularly among the students, public and tourists and involve the NGOs, Lions Clubs, Rotary Clubs, and Tribal Welfare Organization in those welfare measures for effective implementation of Solid Waste Management.

11. The Tamilnadu Pollution Control Board shall through its District Environment Engineer, Udagamandalam, take immediate effective steps to remove the old bio medical waste dumped at Thorappalli, Gudalur and send the same to the appropriate Facility for its scientific treatment and disposal. MR. P.S.Livingston who has accompanied the Committee throughout its inspection has assured that he would take immediate step to remove. In fact, on 05.02.2020, he has informed the Chairperson of the Committee that the bio medical waste accumulated in Thorappalli consisting of only injection vials and injection bottles were segregated and collected in 11 number of blue coloured bags and shifted to BMW Collection vehicle on the said date and handed over to the CBMWTSDF, M/ s Techno Therm Industries, Chettipalayam, Coimbatore and reached the facility on 06.02.2020. While appreciating the prompt step taken by the DEE, the Committee directs the Officer to send a written report.

12. The Commissioner in charge of Gudalur Municipality shall take all effective steps to remove all the solid waste found in Thorappalli, Gudalur and report to the Committee. The DEE of the PCB, in his information to the Chairperson as stated above has stated that the RDMA, is personally supervising the removal of the old dumps at Thorappalli, and all the dumps will be removed in a period of two weeks. The efforts of the RDMA is commendable and she shall send the report of the status of removal to the Monitoring Committee.

13. The DFO, Gudalur, shall remove the concrete flooring on the portico of the new building meant for DFO's office, at R.S.No.750/2, Makkamoola, Gudalur in order to prevent any damage to the redwood sandal trees and its root branches, and proceed further in respect of the building.

The Chairperson of the Committee thanked all the participants and its Members for their effective cooperation and requested their continuous support in implementing the Solid Waste Management Rules in the State of Tamilnadu.

P. Jyothimani
19/2/2020
Justice Dr. P.Jyothimani
Chairperson

① Principal Secy. Environment & Forest Dept / 20/2/20 11.00 AM

② CMA

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PN to

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