

National Green Tribunal Southern Zone vs The Secretary To Govt. Of Tamil Nadu ... on 31 January, 2022

Bench: K. Ramakrishnan, Satyagopal Korlapati

Item No.20 & 21:

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No.52 of 2020 (SZ)
With
Original Application No. 67 of 2020 (SZ)

(Through Video Conference)

IN THE MATTER OF:

Tribunal on its own motion
Suo Motu based on the News Item in
Dinamalar Newspaper dt. 28.02.2020, Chennai
Supplementary, "Dried Cauvery filled up with waste water."

And

- 1) The Secretary to Govt. of Tamil Nadu,
Department of Environment,
Govt. Secretariat, Fort St. George,
Chennai - 600 009.
- 2) The Secretary to Govt. of Tamil Nadu
Municipal Administration & Water Supply Department,
Govt. Secretariat, Fort St. George,
Chennai - 600 009.
- 3) The Secretary to Govt. of Tamil Nadu
Public Works Department,
Govt. Secretariat, Fort St. George,
Chennai - 600 009.
- 4) The Secretary to Govt. of Tamil Nadu
Health & Family Welfare Department
Govt. Secretariat, Fort St. George,
Chennai - 600 009.
- 5) The District Collector
Erode District,
District Collectorate,

State Highways 96, Opp. District Court,
Palayapalayam, Tamil Nadu - 638 011.

- 6) The District Collector,
Namakkal District,
District Collectorate,
Collectorate Road, Namakkal - 637 001.

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- 7) The Chairman,
Tamil Nadu Pollution Control Board
No.76, Mount Salai, Guindy,
Chennai - 600 032.
- 8) Engineer - in - Chief,
WRO & Chief Engineer (General) PWD
Chepauk, Chennai - 600 005.
- 9) Superintending Engineer,
PWD, WRO, Bhavani Basin Circle,
Coimbatore, Tamil Nadu - 641 001.
- 10) Superintending Engineer
PWD, WRO, Upper Cauvery Basin Circle,
Salem, Tamil Nadu - 636 001.
- 11) The Municipal Commissioner
Erode Municipal Corporation
246/895, SH-96, Brough Rd,
NMS Compound, Erode Fort,
Erode - 638 001.
- 12) The Municipal Commissioner
Pallipalayam Municipality,
5, Sankagiri Bypass Road, Pallipalayam
Erode District - 637 210.

....Respondent(s)

WITH

Tribunal on its own motion
Suo Motu based on the News Item in
Dinamalar Newspaper dt. 09.05.2020, Chennai
Edition, "Life returns to normal, dye effluents start flowing in drains."

And

- 1) The Chief Secretary to Govt. of Tamil Nadu,
Govt. Secretariat, Fort St. George,
Chennai - 600 009.
- 2) The Secretary to Govt. of Tamil Nadu,

Department of Environment,
Govt. Secretariat, Fort St. George,
Chennai - 600 009.

- 3) The Secretary to Govt. of Tamil Nadu
Municipal Administration & Water Supply Department,
Govt. Secretariat, Fort St. George,
Chennai - 600 009.

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- 4) The Principal Secretary to Govt. of Tamil Nadu
Public Works Department,
Govt. Secretariat, Fort St. George,
Chennai - 600 009.

- 5) The Chairman,
Tamil Nadu Pollution Control Board
No.76, Mount Salai, Guindy,
Chennai - 600 032.

- 6) The District Collector,
Erode District,
First Floor, Collectorate,
Erode - 638 011.

- 7) The Commissioner
Erode City Municipal Corporation Office,
New No.246 Old No.894
Brough Rd, Erode - 638 001.

....Respondent(s)

O.A. No.52/2020:

For Applicant(s): Suo Motu by Court.

For Respondent(s): Dr. D. Shanmuganathan for R1 to R6, R8 to R10
Mr. S. Sai Sathya Jith for R7.
Mr. Rajamathivanan for R11.
Mr. M. Balakrishnan and
Mr. M.B. Elakkumanan for R12.

O.A. No.67/2020:

For Applicant(s): Suo Motu by Court.

For Respondent(s): Dr. D. Shanmuganathan for R1 to R4, R6.
Mr. S. Sai Sathya Jith for R5.
Mr. Rajamathivanan for R7.

Date of Judgment: 31st January, 2022.

CORAM:

HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

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JUDGMENT

1. The above case [O.A. No.52 of 2020 (SZ)] has been Suo Motu registered by this Tribunal on the basis of the newspaper report published in Dinamalar, Chennai Edition dated 28.02.2020 under the caption "twz;l fhtpupia epiwf;Fk; fopT ePu; - gy yl;rk; Ngu; ghjpf;fg;gLk; mghak;" (Dried Cauvery filled up with waste water - Danger of Lakhs of people getting affected).

2. It was alleged in the newspaper report that the release of water from Mettur Dam, Salem for irrigation of delta areas was stopped in the end of January. At present, only 750 cubic feet of water is released for drinking water purposes. Water from most of the hydro electric projects including those of Vendippalayam and Pasoor regulator electricity generation project in Erode district have already been released, without storing them.

Due to this, the Cauvery River has dried, since several days.

3. It was also alleged in the newspaper report that the Cauvery River is being polluted due to discharge of untreated sewage from Pallipalayam Municipality in Namakkal District which lies in the Northern stretch of Cauvery River and gets mixed in Cauvery. Towards the Southern side, the sewage from Erode Corporation and effluents from dyeing, washing and leather industries are being discharged directly into the Cauvery River at the point near Vairapalayam dumping yard. The water has become blue and black in colour with foam thereby, it has been totally contaminated.

The water is being used for drinking purposes as well and the Cauvery water is one of the sources for drinking water. Though complaints have been made to the authorities, no action has been taken.

4. This Tribunal after reiterating the observations made by the Hon'ble Apex Court as well as by this Tribunal regarding the constitutional mandate under Article 48 A of the Constitution of India about the duty of the State Government as well as the Administrative Departments to protect environment, admitted the matter and appointed a Joint Committee comprising of (i) the District Collector - Erode District, (ii) the District Collector - Namakkal District, (iii) Tamil Nadu Pollution Control Board,

(iv) Engineer-in-Chief, Water Resources Organisation (WRO) & Chief Engineer (General) Public Works Department (PWD), (v) Superintending Engineer, Public Works Department, (PWD) & Water Resources Organisation (WRO), Upper Cauvery Basin Circle, (vi) Superintending Engineer, Public Works Department (PWD) & Water Resources Organisation (WRO), Bhavani Basin Circle, (vii) Commissioner, Erode City Municipal Corporation and (viii) Commissioner, Pallipalayam Municipality to look into the issue and submit a factual as well as action taken report in this regard.

5. They were directed to inspect the area in question including the units responsible for discharge of effluents into the water body to ascertain as to whether inlet and outlet from the Effluent Treatment Plants were maintained by them are confirm the environmental norms prescribed and if there is any violation found, take action against those violators including initiating prosecution and also by imposing environmental compensation as directed by this Tribunal in several matters of this nature by applying the guidelines provided by the Central Pollution Control Board in this regard.

6. They were also directed to collect the water sample from the water body and ascertain the quality of water and if it is polluted and is not in conformity with quality of drinking water, suggest the remedial measures to resolve the same and include the same in the report. The water quality analysis must contain not only Biochemical Oxygen Demand (BOD), Chemical Oxygen Demand (COD) and the Potential of Hydrogen (pH) value but also the other aspects, including the Total Coliform and the Faecal Coliform and the prohibited heavy metals in the water which affects the health indirectly. Further, they were also directed to trace out the sources for contamination and provide necessary suggestions and recommendation as to how this can be prevented in future as well.

7. The Engineer-in-Chief, Water Resources Organisation (WRO) and Chief Engineer (General) Public Works Department was designated as the nodal agency for co-ordination and also for providing necessary logistics for this purpose.

8. In the meantime, this Tribunal had Suo Motu registered another case as [O.A. No.67 of 2020 (SZ)] on the basis of the another newspaper published in Dinamalar, Chennai Edition dated 09.05.2020 under the caption "jpUk;gpaJ ,ay;Gtho;fi ; f Xilapy; XLJ rhaf;fopT" (Life returns to normal, dye effluents start flowing in drain).

9. It was alleged in the newspaper report that due to lockdown dye, washing, printing and leather units have been closed in Erode District for the past 45 days, since 24th March, as a result, Cauvery had become clean since industrial effluents were not dumped through Kaalingarayan and Bhavani Rivers. People used Cauvery water for drinking, as the water has become clean. At present, due to relaxation in lockdown, the dyeing, washing and leather industries are getting ready to start functioning, the untreated industrial effluents collected and stored before 24th March are being let out through Pichaikaranpallam drain.

10. Further, it was also alleged in the newspaper report that the sewage water is also flowing with foam and froth emanating heavy odour. This water directly mixes with Cauvery River. As a result, the Cauvery, Kalingarayan waters which flow clean at present will be badly affected.

11. So, this Tribunal had admitted the matter and directed the Joint Committee appointed by this Tribunal in O.A. No.52 of 2020 (SZ) to look into the issue as well and submit a consolidated report.

12. Thereafter, both these cases were directed to be posted together, as the issue is regarding damage caused to the Cauvery River. The matter was adjourned from time to time for getting the reports.

13. When the matter was taken up on 09.10.2020, this Tribunal had considered the report submitted by the Joint Committee signed by the members with date 01.10.2020, e-filed on 07.10.2020 and extracted in Para (4) of the order which reads as follows:-

"Report of the Joint Committee constituted by the Hon'ble NGT (SZ), Chennai in respect of Suo Motu O. A. No. 52 & O. A. No. 67 of 2020 regarding Cauvery River Water Pollution I. Back Ground of the Case:

Hon'ble National Green Tribunal (SZ), Chennai has taken up a Suo Motu O. A. No. 52/2020 based on the news published in Dinamalar daily on 28.02.2020 regarding Cauvery River Water Pollution. Subsequently, based on the news published in Dinamalar daily on 09.05.2020 regarding Cauvery River water pollution, the Hon'ble NGT (SZ), Chennai has taken up another Suo Motu O.A. No. 67/2020.

The Tribunal has constituted a joint committee comprising District Collector, Erode, District Collector, Namakkal, Tamilnadu Pollution Control Board, Engineer in Chief, Water Resources Organisation (WRO), Chief Engineer (General), Public Works Department (PWD), Superintending Engineer (SE), PWD (WRO), Upper Cauvery Basin Circle, Superintending Engineer (SE), PWD, WRO, Bhavani Basin Circle, Commissioners of Erode City Municipal Corporation & Pallipalayam Municipality and directed the committee to inspect and report as directed in the Order Dated: 03.03.2020 in O. A. No. 52/2020, Order Dated: 12.05.2020 in O. A. No. 67/2020 and Order Dated: 15.05.2020.

The Engineer-in-chief, WRO and Chief Engineer (General) Public Works Department are designated as Nodal Agency.

Based on the Orders of Hon'ble NGT in O. A. No. 52/2020 Dated: 03.03.2020, the District Collector, Erode has constituted a sub-committee vide Proceedings Dated:

10.03.2020. The District Collector, Namakkal has also constituted a sub-committee vide Proc. Dated: 12.06.2020.

The District Collectors Erode & Namakkal and their respective sub-committee members have inspected the sources of Cauvery river water pollution including textile and tannery industries located on the right & left side of river Cauvery in Erode & Namakkal Districts respectively.

The District Collectors, Erode & Namakkal have filed an interim report before the Hon'ble National Green Tribunal (SZ). Subsequently the Joint Committee has inspected River Cauvery stretch in the Erode & Namakkal Districts and the industries located on both sides of the River in the close vicinity on 21.09.2020 & 22.09.2020. The Report of the Joint Committee is submitted as below.

II. A brief introduction about River Cauvery and Bhavani flowing in the Districts of Erode & Namakkal:

a. River Cauvery in Erode District:

River Cauvery enters Erode District at Ammapettai in Bhavani Taluk. River Cauvery flows through Bhavani, Erode & Kodumudi Taluks in Erode District. The River Cauvery flows about 88 Km in the District. Cauvery river water is monitored by TNPCB by analysis of water samples collected from the river at Uratchikottai, R.N.Pudur & Vairapalayam on the right bank of River Cauvery.

b. River Cauvery in Namakkal District:

River Cauvery enters Namakkal District at Kumarapalayam in Kumarapalayam Taluk, Namakkal District. River Cauvery flows through Kumarapalayam Municipality, Seerampalayam Village, Avathipalayam Village, Pallipalayam Municipality, Kokkarayanpettai Village Panchayat of Kumarapalayam Taluk, Namakkal District and Pattlur Village, Molasi Village of Thiruchengode Taluk, Namakkal District. The river Cauvery flows for about 64 Km in the jurisdiction of O/o DEE, TNPCB, Kumarapalayam. Cauvery River water quality is being regularly monitored by TNPCB by analyzing the water samples collected from River Cauvery at Kumarapalayam upstream, Kumarapalayam, Seerampalayam, Avathipalayam (Pallipalayam upstream) & Pallipalayam - Vendipalayam Barrage (Pallipalayam Downstream) on the left bank of River Cauvery.

c. River Bhavani in Erode District:

River Bhavani originates from Western Ghats in Nilgiris District and flows through Coimbatore District and then enters Erode District at Bhavanisagar Dam. It flows through Bhavanisagar Town Panchayat, Sathyamangalam Municipality, Gobichettipalayam Taluk, Bhavani Taluk and finally reaches Kalingarayan Anaicut at Bhavani. The River flows about 92 Km in the District. From the Kalingarayan Anaicut, Kalingarayan Canal is branched out from the River Bhavani and it flows through the Erode Taluk. The remaining part of River Bhavani confluences with River Cauvery at Kooduthurai, Bhavani. Bhavani river water is monitored by TNPCB by analysing of water samples collected from the river at Bhavani sagar, Sathyamangalam & Bhavani.

III. The details of effluent generating industries located at 0 to 5 km from River Cauvery & River Bhavani:

Sl. No.	Type of industries	River Cauvery				River Bhavani	
		Jurisdiction of		Jurisdiction of O/o		Jurisdiction of O/o	
		O/o DEE, Erode		DEE, Kumarapalayam		DEE, Perundurai	
		No. of industries		No. of industries		No. of industries	
		Authorised	Unauthorised	Authorised	Unauthorised	Authorised	Unauthorised
1	Dyeing		-	89	21*	39	-
2	Bleaching		-	26	5*	12	-
3	Printing	209	-	-	-	-	-
4	Tannery	37	-	-	-	-	-
		649	-	115	-	51	-

* Presently not in operation and the units are regularly monitored by the DCCC, if found any operation notice will be served under section 133 CrPC through DCC. a. Details of effluent generation:

Sl. No.	Type of industries	Jurisdiction of O/o DEE, Erode		Jurisdiction of O/o DEE, Kumarapalayam		Jurisdiction of O/o DEE, Perundurai	
		Quantity of effluent generated (KLD)		Quantity of effluent generated (KLD)		Quantity of effluent generated (KLD)	
		Authorised	Unauthorised	Authorised	Unauthorised	Authorised	Unauthorised
1	Dyeing	25150.	-	5995.8	-	4789.7	-
2	Bleaching	19230.	-	2030.7	-	1575.1	-
3	Printing		-	-	-	-	-

		2061.3						
4	Tannery		-	-	-	-	-	-
		007.1						
		48448.	-	8026.6	-	6364.9	-	-

Note: Authorised dyeing and tannery industries have provided Zero Liquid Discharge (ZLD) treatment system. The bleaching and printing industries have either provided ZLD or have conventional ETP.

b. Status of Paper manufacturing industries in the vicinity of Bhavani River In Sathyamangalam Taluk, 12 Paper Industries are in operation (6 Kraft Paper Units & 6 Writing and Printing Paper Units) using waste paper as raw material. Kraft Paper Industries are recycling the entire quantity of untreated/ treated effluent in their process. Printing paper industries reuse 75% of treated waste water in the process and the remaining 25% treated waste water is utilized on land for irrigation.

IV. River Cauvery Water Quality assessment done by TNPCB for the period Jan 2019 to July 2020 The consolidated report of analysis of the Cauvery river water for the period 2019 - 2020 is enclosed as Annexure - I. The range value of the Cauvery River water quality parameters collected and assessed by TNPCB between Jan 2019 to July 2020 is submitted as below.

a. Cauvery River Water Quality range values (Erode District) Sl. Parameters Point of sample collection/ Values No. Uratchikottai R.N.Pudur Vairapalayam

1. Temperature (°C) 19 - 32 28 - 40 28 - 40
2. pH 7.08 - 8.41 6.44 - 8.39 7.05 - 8.46
3. Conductivity 254-520 179 - 1123 224 - 1060 (µmhos/cm)
4. Dissolved Oxygen 5.5- 8.4 0.4 - 8.9 0.6 - 8.3 mg/l
5. Bio Chemical Oxygen 0.2- 2.6 0.3 - 23.3 0.4 - 15 Demand mg/l
6. Nitrates - N mg/l 0.012 - 0.28 0.019 - 0.399 0.016 - 0.940
7. Nitrite - N mg/l 0.004 - 0.098 0.001 - 0.056 0.003 - 0.248
8. Ammonia - N mg/l 1.12 - 1.68 1.12 - 2.24 1.12 - 2.24
9. Fecal Coliform 21 - 70 4.5 - 430 22 - 370 MPN/100 ml

10. Total Coliform 58 - 170 94 - 940 70 - 930 MPN/100 ml Note: The presence of fecal and total coliform indicates the discharge of sewage into River Cauvery.

b. Cauvery River Water Quality range values (Namakkal District) Sl. Parameters Point of collection/Values No. Kumarap Kumara Seerampalay Avathip Pallipala alayam palaya am alayam yam Municipa m l Head Works

1. Temperature 20 - 31 19 - 30 20 - 30 20 - 29 22 - 28 (°C)

2. 7.08 - 7.07 -

	pH	7.43 - 8.17		6.97 - 8.61	
			7.91		8.08
3.	Conductivity				
	(µmhos/cm)	301 - 512	238 - 548	204 - 534	287 - 606
4.	Dissolved				
	Oxygen mg/l	5.6 - 6.9	4.6 - 7.8		0.2- 3.4
5.	Bio Chemical			5.3 - 8.5	
	Oxygen	0.3- 3.1	0.2 - 6.9	0.3 - 3.6	0.2 - 6.9
6.	Demand mg/l				
	Nitrates - N	0.021 -	0.028 -		0.114 -
				0.063 - 1.146	
	mg/l	0.43	0.45		0.5
7.	Nitrite - N	0.001 -	0.003 -		0.002 -
				0.003 - 0.894	
	mg/l	0.099	0.956		0.495
8.	Ammonia - N		0.56 -		0.56 -
		1.12 - 2.24		0.56 - 2.24	
	mg/l		3.36		2.24
9.	Fecal Coliform				
		21 - 170	110 - 630	9.3 - 310	11 - 120
	MPN/100 ml				
10.	Total Coliform		350 -		
		70 - 390		41- 840	11- 280
	MPN/100 ml		1400		

Note: The presence of fecal and total coliform indicates the discharge of sewage into River Cauvery.

c. Bhavani River Water Quality range values (Erode District) Sl. Parameters Point of collection/Values No. Bhavanisagar Sathyamangalam Bhavani

1. Temperature (°C) 21 - 30 22 - 31 18-32

2. pH 6.52 - 7.81 6.38 - 7.85 6.67 - 8.33

3. Conductivity 114 - 224 134 - 438 203 - 1207 ($\mu\text{mhos/cm}$)
4. Dissolved Oxygen 4.7 - 7.9 4.7 - 7.9 4.8 - 8.1 mg/l
5. Bio Chemical 0.2 - 3.1 0.3 - 2.5 0.2 - 3.6 Oxygen Demand mg/l
6. Nitrates - N mg/l 0.035 - 0.268 0.043 - 0.219 0.056 - 0.399
7. Nitrite -N mg/l 0.006 - 0.104 0.007 - 0.195 0.005 - 0.214
8. Ammonia - N mg/l 1.12 - 2/24 1.12 - 2.24 1.12 - 3.36
9. Fecal Coliform 21 - 170 13 - 63 21 - 170 MPN/100 ml
10. Total Coliform 63 - 390 49 - 110 94 - 430 MPN/100 ml Note: The presence of fecal and total coliform indicates the discharge of sewage into River Cauvery and Bhavani.

V. Drinking water intake from River Cauvery a. Erode City Municipal Corporation (Erode District) The Erode City Municipal Corporation draws water from the river at various intake wells and water is treated in water treatment plants. Erode Corporation has 9 water intake wells and water treatment plants for all the intake points. The dedicated water supply scheme is being implemented for Erode Corporation which will be completed by December 2020 after which above intake wells will not be used. b. Kumarapalayam Municipality (Namakkal District) The Kumarapalayam Municipality draws water from the river Cauvery at Cauvery Nagar intake well and treating and pumping the treated water through eight overhead tanks (OHT).

c. Pallipalayam Municipality (Namakkal District) The Pallipalayam Municipality draws water from the river Cauvery at Samayasangili intake wells by treating and pumping the treated water through eight overhead tanks (OHT).

Treated water after meeting the drinking water standards is supplied to public. The Report of Analysis (ROA) of Cauvery river treated water reveals that the parameters are within the drinking water standards. The copies of ROA of Cauvery river treated water analysed by TWAD Board at Vairapalayam, Erode District, Kumarapalayam & Pallipalayam, Namakkal District are enclosed vide Annexure - II. VI. Water Quality Status of streams joining with River Cauvery a. Erode District:

Pitchaikaranpallam, Notchipallam, Sunnambu odai and Perumpallam odai are four water streams flowing across Erode City Municipal Corporation and joins with River Cauvery at various locations. Residential and industrial areas are located along these streams stretches. The consolidated report of analysis of the water collected from these streams is submitted as Annexure - III. The values of the parameters are submitted as below.

Sl.No	Parameters	Inland surface water discharge Standards	Pitchaikaran pallam	Nochipallam	Sunnamb odai
		5.5-9.0	7.39 - 8.05	7.69 - 8.67	7.64-8
1.	pH				
3.	TDS (mg/l)	2100	580 - 1852	1464-2656	1076-16
4.	BOD (mg/l)	20	6-135	12-22	18-2
5.	COD (mg/l)	150	48-336	64-136	64-10

MPN/100 ml

b. Namakkal District:

i) Kumarapalayam Municipality

Cauvery Nagar, Pusarikadu, Kalaimakal Street, Palakarai and Manimekalai street are major water streams flowing across Kumarapalayam Municipal limit and joins with River Cauvery at various locations. Residential and industrial areas are located along these streams stretches. The consolidated report of analysis of the water collected from these streams is submitted as Annexure - IV. The values of the parameters are submitted as below.

S. No	Para meters	Inland surface water discharge Standards	Cauvery Nagar	Pusarik adu	Kalaim akal Street
		5.5-9.0			
1.	pH		7.07	6.59	6.55
2.	TSS	30	16	128	52
	(mg/l)				
3.	TDS	2100	348	1116	780
	(mg/l)				
4.	BOD				
	(mg/l)				
5.	COD	150	16	368	64
	(mg/l)				
6.	Fecal Coliform	100	43	700	310
	MPN/10				

0 ml

ii) Pallipalayam Municipality

Vasantha Nagar, Alampalayam burial ground, GH Avarangadu, Cauvery bridge (L), Cauvery bridge (R), Pudhan Sandhai, Cauvery Thadam (Nagam Koil) and Oilkara Street are eight major water streams flowing across Pallipalayam Municipal limit and joins with River Cauvery at various locations. Residential and industrial areas are located along these streams. The consolidated report of analysis of the water collected from these streams is submitted as Annexure V. The values of the parameters are submitted as below.

S. No	Parameters	Inland surface water discharge Standard	Vasanth a Nagar (Navabr indha)	Alam pala yam Burial Grou nd	GH Avar anka du	Cauver y Bridge (L)	Cauver y Bridge (R)
1.	pH	5.5-9.0	7.30	7.06	6.66	7.02	6.60
2.	TSS (mg/l)	30	40	28	20	16	20
3.	TDS (mg/l)	2100	2332	876	732	1136	668
4.	BOD (mg/l)	20	6.3	9	6	12	15
5.	COD (mg/l)	150	72	56	48	64	88
6.	Fecal Coliform MPN/100 ml	100	260	210	140	68	82

VII. Status of sewage treatment plants

a. Erode City Municipal Corporation limit

Erode City Municipal Corporation has 60 wards and has the population of 4,98,121 (based on 2011 census), having 1.00 lakhs households. 33.75 MLD of sewage is generated from Erode City Municipal Corporation limit. The Corporation has installed a sewage treatment plant of capacity 50.55 MLD at Peelamedu Village, Vendipalayam. At present, 15000 Households are connected to sewage treatment plant through UGDSS. 6.00 MLD of Sewage generated from these 15000 Household is conveyed to Sewage Treatment Plant (STP). The treated sewage after meeting the standards is discharged into Perumpallam odai which finally joins with River Cauvery. The Corporation has reported that the UGSS for another 75000 households will be completed before May 2022. The sewage generated from remaining 10000 Households are treated through septic tank.

TNPCB has issued directions among the other directions to the Commissioner, Commissionerate of Municipal Administration, Chennai to instruct Commissioner, Erode Corporation as below vide Board's Proc. dt 01.08.2018.

"The local authorities of villages, towns and cities along the river Cauvery shall ensure proper channelization and proper treatment of domestic sewage generated from the villages/ towns along the bank of River Cauvery and Kalingarayan Canal through sewage treatment plants and shall ensure to comply with the sewage discharge norms notified under the Environmental (Protection) Act, 1986".

The corporation has provided adequate capacity of STP (50.55 MLD). The Corporation has assured to provide UGSS to the remaining 75000 Households before May 2022. Hence, after the implementation of UGSS for the remaining areas, the disposal of around 27.75 MLD of sewage into water bodies will be prevented.

b. Kumarapalayam Municipality Kumarapalayam Municipality has 33 wards and the population of 71,594 (based on 2011 census). About 5.60 MLD of sewage is generated from Kumarapalayam Municipal limit. Kumarapalayam Municipality has informed that a STP will be provided under "Nadanthai Vazhi Cauvery" scheme through PWD (WRO). At present, the untreated sewage from Kumarapalayam Municipality joins with River Cauvery.

c. Pallipalayam Municipality Limit Pallipalayam Municipality has 21 wards with a population of 40,140 (based on 2011 census). 4.34 MLD of sewage is generated from Pallipalayam Municipal limit. Pallipalayam Municipality has informed that a STP will be provided under "Nadanthai Vazhi Cauvery" scheme through PWD (WRO). At present, the untreated sewage from Pallipalayam Municipality joins with River Cauvery. d. Sathyamangalam Municipality limit into River Bhavani Sewage generated from Sathyamangalam Municipality, Part of Bhavani Municipality and other local bodies along the River reaches River Bhavani. Sathyamangalam Municipality has constructing a STP of capacity 4 MLD for the treatment of sewage generated and is nearing completion. e. Bhavani Municipality limit Bhavani Municipality has 27 wards with a population of 39,225 (based on 2011 census). 3.50 MLD of sewage is generated from Bhavani Municipal limit. Bhavani Municipality has informed that the proposal for the establishment of STP is under process through the PWD (WRO)

under "Nadanthai Vazhi Cauvery" scheme. A part of untreated sewage from Bhavani Municipality joins with River Bhavani and rest with River Cauvery.

VIII. Details of action taken by TNPCB and District Co-ordination Committee against the violating industries The details of action taken by TNPCB O/o. District Environmental Engineer, Erode, O/o. District Environmental Engineer, Perundurai and O/o. District Environmental Engineer, Kumarapalayam against the violating industries through TNPCB and DCC so as to prevent River Water Pollution are submitted as below. a. Formation of the District Co-ordination Committee at Erode & Namakkal Based on the Hon'ble High Court Order Dated: 04.07.2007 & 09.08.2007 in W. P. Nos. 5494/1998 & 30153/2003, District Co-ordination Committee (DCC) has been constituted in Erode District during the year 2009 and Namakkal District during the year 2011. Subsequently it is reconstituted as per the G.O. Ms. No. 23, Dated:

01.03.2018 and functioning till date.

VIII. a. Action taken by the O/o. District Environmental Engineer, TNPC Board, Erode a. In Erode, industries such as textile dyeing 104 Nos, bleaching 225 Nos, tannery 30 Nos are under operation. All these industries have obtained consent of Tamilnadu Pollution Control Board. No unauthorized dyeing/ bleaching/ tannery industries are under operation in Erode.

b. These industries have provided individual effluent treatment plants for the treatment of waste water generated. Recovered water is reused in the process. Sludge generated is transported to cement industries for co-processing. The year wise details of action taken by TNPC Board against the violating industries through the District Co-ordination Committee, Erode is submitted as below, No. of industries issued with orders for disconnection Year of power supply Bleaching & Dyeing Tannery Total Printing Apr 2020 -

Sep 2020 VIII b. Action taken by the O/o. District Environmental Engineer, TNPC Board, Perundurai:

a) In O/o DEE, TNPCB, Perundurai, industries such as textile dyeing 39 Nos, bleaching 12 Nos, are under operation along the river Bhavani. All these industries have obtained consent of Tamilnadu Pollution Control Board. No unauthorized dyeing/ bleaching industries are under operation in the jurisdiction of O/o DEE, TNPCB, Perundurai.

b) These industries have provided individual effluent treatment plants for the treatment of waste water generated. Recovered water is reused in the process. Sludge generated is transported to cement industries for co-processing.

The year wise details of action taken by TNPC Board against the violating industries through the District Co-ordination Committee, Erode is submitted as below, No. of industries issued with orders for disconnection of Year power supply Dyeing Bleaching Tannery Total & Printing Apr 2020 -

Jun 2020

VIII. c. Action taken by the O/o. District Environmental Engineer, TNPC Board, Kumarapalayam a. 89 Nos of textile dyeing and 26 Nos bleaching units are functioning in the jurisdiction of O/o DEE, TNPCB, Kumarapalayam. All these industries have obtained consent of Tamilnadu Pollution Control Board.

b. These industries have provided individual effluent treatment plants for the treatment of waste water generated. Recovered water is reused in the process. Sludge generated is transported to cement industries for co-processing.

The year wise details of action taken by TNPC Board against the violating industries through the TNPCB Board/District Co-ordination Committee, Namakkal is submitted as below, No. of industries issued with orders of Eviction disconnection of power supply Year Unauthorized Dyeing Bleaching units TNPCB DCC TNPCB DCC DCC IX. Details of action taken by TNPCB against the violating industries after recommencement of industries during COVID-19 Lock down period and after the orders of the Hon'ble NGT in O.A.No 52 & 67 / 2020 dated 03/03/2020:

After the National Lock down in the COVID-19 pandemic period, the industries were permitted to recommence their operation in phased manner. The following table shows the details of action taken against the violating industries subsequent to the orders of the Hon'ble National Green Tribunal (SZ), Chennai dated 03.03.2020 in O.A. No 52/2020.

Sl. Jurisdiction No. of industries issued with disconnection of No. power supply through DCC (between March 2020 and September 2020) Dyeing Bleaching Tannery Total & Printing 2 O/o. DEE, TNPCB, Perundurai 16 10 -

Kumarapalayam X. Environmental Compensation collected Based on the orders of Hon'ble NGT in O.A.No.1038/2018 dt 10.07.2019 and in O.A.No.593/2017 dt 19.02.2019 and 28.08.2019, environmental compensation from violating industries are collected by TNPCB and District Co-ordination Committee as detailed below.

S. No.	TNPCB District offices	Environmental Compensation Collected	T
		by TNPCB & DCC (in Rs.)	
1.	O/o. DEE, TNPCB, Erode	45,05,000/- + 69,18,663/-	1,14,23
2.	O/o. DEE, TNPCB, Perundurai	800,000 + 10,00,000/-	18,
3.	O/o. DEE, TNPCB, Kumarapalayam	3,70,000/-	3,7

XI. Solid Waste Management for the prevention of leachate from dump site mixing with River Cauvery:

On the right bank of River Cauvery at Vairapalayam, the erst. while Municipal Solid waste dump site of Erode City Municipal Corporation is located. The Erode City Municipal Corporation drinking water pumping station is located at the downstream of this site. The Corporation had dumped about 80,850 m³ of Municipal Solid Waste (MSW) in that site. The leachate generated from this site was earlier mixed with river Cauvery.

XI a Action taken by TNPCB TNPCB has issued directions under Section 5 of Environment (Protection) Act, 1986 to the Commissioner, Commissionerate of Municipal Administration, Chennai to instruct Commissioner, Erode Corporation to stop dumping of municipal solid waste on the banks of River Cauvery at Vairapalayam, Erode and to comply with the Solid Waste Management Rules, 2016 vide Board's Proc. Dt. 01/08/2018.

The Erode City Municipal Corporation has cleared and processed the entire MSW dumped at Vairapalayam MSW dump site. At present, no MSW is available at the MSW dump site. This will prevent the flow of MSW leachate into River and carryover of municipal solid waste in river water during rainy seasons and flood.

XII. Formation of Textile CETPs in Erode & Namakkal Districts:

To further improve the Cauvery and Bhavani River water quality and to strengthen the monitoring mechanism to prevent illegal disposal of effluent by individual industries, on the instruction of TNPCB, the textile association have proposed to provide textile CETPs in Erode & Namakkal Districts. After commissioning of the CETPs, the individual effluent treatment plants provided by the units will be closed and effluent generated from these industries will be conveyed to CETPs for treatment.

S. No.	No. of CETPs proposed	GFA (Rs. in Lakhs)	Plant Capacity (MLD)	No. of member units	Consent status	Land availab (acres)
A	Erode (Erode District) 5*				CTE	

					Issued	
B	Bhavani (Erode District)					
		3	39989	12	118	18.0
					CTE	
					Issued	
C	Kumarapala yam (Namakkal District)					
		2**	30700	8	210	38.8
					Yet to obtain CTE	

Note:

* - 4 CETPs for the treatment of entire quantity of Trade effluent generated from the existing textile units and 1 CRMS is for the treatment of final reject generated from its member units.

** - 1 CRMS is for the treatment of final reject generated from the existing consented textile industries and 1 CETP for the treatment of entire quantity of Trade effluent generated from the unauthorized textile industries Tamilnadu Pollution Control Board, Erode, Perundurai, Kumarapalayam, Environmental Engineer (Flying Squad), Erode and District Administration, Erode & Namakkal are monitoring the industries operated in Erode & Namakkal Districts and monitoring River Cauvery & River Bhavani as detailed above. Surprise and night inspections are also being carried out. Violating industries found discharging effluent/ not operating ETP are issued with orders for closure and disconnection of power supply immediately. Environmental Compensation is collected by TNPCB and District Co- ordination Committee.

Joint Committee Observations:

As directed by the Hon'ble National Green Tribunal (SZ), Chennai the joint committee had a meeting with the District Administration of Erode & Namakkal. The joint committee has inspected Erode, Bhavani, Kumarapalayam and Pallipalayam on 21/09/2020 and 22/09/2020. The observations are submitted as below.

1. The District Collector, Erode & District Collector, Namakkal, District Revenue Officer, Namakkal, Revenue Divisional Officer, Erode, Superintending Engineer, WRD, Erode (Bhavani basin circle), Executive Engineer, WRD, Erode (Lower Bhavani Basin Division), Executive Engineer, WRD, Mettur division (Trichy region), Joint Chief Environmental Engineer (Monitoring), TNPCB, Salem, Commissioner, Erode city Municipal Corporation, Erode, Commissioner, Kumarapalayam

Municipality, the Commissioner, Pallipalayam Municipality, District Environmental Engineers, TNPCB, Erode, Perundurai and Kumarapalayam, Environmental Engineer (Flying Squad), TNPCB, Erode have inspected the River Cauvery, River Bhavani, the streams joining with River Cauvery and Bhavani.

2. On 21.09.2020, the flow of water in River Cauvery was @ 18000 cusecs.

3. Water samples have been collected from River Cauvery, River Bhavani and water streams joining the rivers at the following locations:

Sampling Locations of River

1. River Cauvery at NTADCL Water Intake Point, Erode
 2. River Cauvery at the upstream of Pitchaikaranpallam Odai mixing point
 3. Confluence of River Bhavani with River Cauvery at Kumarapalayam Bridge
 4. River Bhavani before confluencing with River Cauvery at Kooduthurai
 5. River Cauvery at Erode Corporation Water Pumping House at Vairapalayam after mixing of Pitchaikaranpallam Odai with river
 6. Treated Water from Erode Corporation Water Pumping House at Vairapalayam
 7. River Cauvery at Cauvery nagar, Kumarapalayam
 8. River Cauvery at Manimekalai street, Kumarapalayam
 9. River Cauvery at Avathipalayam, Pallipalayam
 10. River Cauvery RS road near railway line, Pallipalayam Sampling Locations of Water streams joining with river Cauvery
1. Mixing point of Pitchaikaranpallam Odai with River Cauvery
 2. Upstream of Pitchaikaranpallam Odai at Ellapalayam lake
 3. Mixing point of Cauvery nagar drain with river Cauvery at Kumarapalayam
 4. Mixing point of Ayyan Thottam odai with river Cauvery at Manimekalai street, Kumarapalayam

5. Mixing point of RS Nagar Odai with river Cauvery at Alampalayam crematorium, Pallipalayam

6. Mixing point of Samayasangili Odai with river Cauvery at Avathipalayam, Pallipalayam

7. Mixing point of Sengadu odai with river Bhavani at Kadayampatti

4. LBP canal is opened for irrigation. Seepage water from LBP (Lower Bhavani Project) irrigation area and Kalingarayan canal irrigation areas were noticed in Pitchaikaranpallam Odai and other streams joining the River Cauvery on the right bank in Erode District. Hence there was a good flow of water in the stream.

5. The Erode City Municipal Corporation has provided 50.55 MLD capacity of sewage treatment plant (STP) for the treatment of entire quantity of sewage generated from Erode City Municipal Corporation limit. Sewage generated from 15000 Household is treated in the STP. The sewage generated from remaining 85000 Households of Erode City Municipal Corporation not covered under the UGSS was found discharged into the Pitchaikaranpallam and other streams joining River Cauvery. The Erode City Municipal Corporation has proposed to complete the UGSS for the remaining areas before May 2022.

6. A part of the sewage generated from Bhavani Municipality was found joining River Bhavani through Sengadu Odai at Kadayampatti, Bhavani and the rest joins with river Cauvery.

7. Random inspections were carried out in the dyeing and tannery industries located at Erode, Bhavani of Erode District and Kumarapalayam and Pallipalayam of Namakkal District.

Sl. No.	Name of the industry & location	Type of Industry	Observations
1.	M/s. India Dyeing Mills, Erode	Dyeing	The unit was found operating ZLD System satisfactorily.
2.	M/s. Imperial Dyeing, Erode	Dyeing	The unit has installed and operating new emerging technology evaporator in addition to the RMS and was found operating ZLD System satisfactorily.
3.	M/s. Venkateshwara Prime Tannery, Erode	Tannery	The unit was found not in operation. ETP components and ZLD system were in operable condition.
4.	M/s. Ranga Tannery, Erode	Tannery	The unit was found operating ZLD System satisfactorily.
5.	M/s. Saravana Leather Processors, Erode	Tannery	The unit was not in operation found to be locked.

6.	M/s. Gokul Raja Dyeing, Erode	Dyeing	The unit was found not in oper and the improvements works for
			existing ZLD system like repla of RO membranes and installatio MEE were under progress
7.	M/s. Sri Raam Dyeing Factory, Bhavani	Dyeing	The unit was found operating ZL System satisfactorily.
8.	M/s. Sathish Saya Salai, Bhavani	Dyeing	The unit was found operating ZL System satisfactorily.
9.	M/s. Amman Dyeing, Bhavani	Dyeing	The unit was found operating ZL System satisfactorily.
10.	M/s. V.K.S Textiles (formerly M/s. United processors), Kumarapalayam	Dyeing	The unit was found operating ZL System satisfactorily.
11.	M/s.Vari Colours Pvt Ltd, Pallipalayam	Dyeing	The unit was found operating ZL System satisfactorily.
12.	M/s.Sri Murugan dyeing, Pallipalayam	Dyeing	The unit was found operating ZL System satisfactorily.

8. The Committee has inspected the MSW legacy waste dump site at the right bank of River Cauvery at Vairapalayam. After the issue of suitable direction under Section 5 of Environment Protection Act vide TNPC Board's Proc. dt 01.08.2018, the Erode City Municipal Corporation has removed and processed 80850 m³ of MSW dumped at Vairapalayam on the right bank of River Cauvery at Erode District. Hence the leachate mixing with River Cauvery has been stopped completely. Presently, the Erode City Municipal Corporation is treating the MSW in 27 micro compost centres.

9. The Committee has inspected the water supply intake point of Erode City Municipal Corporation at River Cauvery, Vairapalayam, Erode located at 200m downstream of mixing point of Pitchaikaranpallam odai with River Cauvery. Raw and treated water samples are collected and analysed. The report of analysis reveals that the drinking water is supplied to the public after meeting the standards.

10. The Committee has inspected Cauvery Nagar public drainage and Ayyan Thottam Odai public drainage at Kumarapalayam, Namakkal District mixing with River Cauvery at left bank.

11. After the admission of Suo Motu cases O.A No. 52 & 67/2020 in Hon'ble National Green Tribunal (SZ), Chennai, the TNPCB and District Administration, Erode have taken action against 25 violating industries & the TNPCB, Kumarapalayam and District Administration, Namakkal have taken action against 26 violating industries through the District Co-ordination Committee and disconnected the power supply of the units.

12. As per the orders of Hon'ble NGT in 1038/2018 dt 10.07.2019, Erode has been declared as Severely Polluted Area based on the Comprehensive Environmental Pollution Index (CEPI) arrived by Central Pollution Control Board. Subsequently, TNPCB, Erode & Perundurai have collected Rs.1.32 crores from the violating industries. TNPCB, Kumarapalayam has collected Rs.3.70 Lakhs from the violating industries.

13. On the instruction of TNPCB, the textile association have proposed five common effluent treatment plants (CETPs) at Erode, three CETPs at Bhavani & two CETPs at Kumarapalayam for the existing processing industries having individual effluent treatment plants (IETPs) for the effective implementation of Zero Liquid Discharge. The Association of All Textile Processors at Erode have purchased 27 acres of land and have obtained consent for establishment from TNPCB. The CETP management at Bhavani have purchased 18 acres of land. The CETP management at Kumarapalayam have purchased 38.89 acres of land.

14. One CRMS and one CETP at Elanthakuttai and Sowthapuram villages of Kumarqapalyam Taluk, Namakkal District for the existing processing industries having individual effluent treatment plants (IETPs) and for the unauthorised units for the effective implementation of Zero Liquid Discharge. The CETP management at Kumarapalayam have purchased 38.89 acres of land.

15. The Report of Analysis of the raw water samples (before treatment in the water treatment plants) collected by the Joint Committee from River Cauvery and Bhavani at Various locations in Erode and Namakkal Districts reveals that the parameters are within permissible limits prescribed.

Recommendations:

1. TNPCB shall install continuous online surface water quality monitoring stations in river Cauvery, Bhavani and Kalingarayan Canal.
2. The urban local bodies located along the banks of River Cauvery and Bhavani not having STPs shall provide sewage treatment plants of adequate capacity for the treatment of sewage generated from the urban local bodies.
3. The Sathyamangalam Municipality shall expedite the construction and commissioning of STP at Sathyamangalam.
4. The Erode City Municipal Corporation shall complete the UGSS for the remaining areas at the earliest as committed for the collection and conveyance of Sewage to STP.

5. Adequate powers have been delegated to the District Co-ordination Committee vide G.O Ms No. 23, E&F Department dated: 01.03.2018. The TNPCB and the District Co-

ordination Committee shall collect hefty Environmental Compensation from the repeated violating industries found discharging untreated effluent into water streams/ land and shall be prosecuted.

6. The Erode City Municipal Corporation shall explore the possibilities of reusing the treated sewage from the STP by the prospective industries / Agriculturists.

7. The TNPCB shall have close monitoring of the industries. In case of any unauthorised units causing pollution to the environment, it shall be brought to the notice of either DCC/ TNPCB Board office and action shall be taken for the disconnection of power supply, disconnection of water supply, seizure of materials, sealing of unit's premises/ machinery and eviction. Criminal case shall be filed against the land owner and environmental compensation shall be imposed on the land owners and occupier of the unit as already instructed by the TNPCB vide Circular dated: 22.09.2020.

8. Additional Engineers shall be posted to the O/o District Environmental Engineers, TNPCB, Erode, Perundurai & Kumarapalayam for effective monitoring of industries and water bodies.

9. Special subsidies or Interest free loans may be made available to the existing industries which are ready to adopt environment friendly technologies in the treatment of their trade effluent.

10. Financial assistance within the legal frameworks may be provided to the tiny/ small textile industries for their share towards the formation of proposed CETPs.

11. The environmental compensation collected may be utilized for the restoration of water bodies in the respective districts.

12. Frequent inspection shall be carried out by DCC by getting inputs from revenue/Local Body/NGO/Residents Associations/Visual and print media etc.

13. A dedicated mobile number may be designated and widely published in the press for receiving complaints about polluting industries.

14. An exclusive public grievance day may be organised by the DCC at the respective municipal office by giving wide advance publicity so that the affected public and other good Samaritan can complain about issues concerning Environment. Police, Revenue, Local body, EB, PWD/WRD, Health and Pollution Control Board officials of District level shall attend such exclusive grievance meeting for taking appropriate decisions immediately.

15. The local bodies while giving approvals for new layouts and regularising the existing layouts, disposal of sewage through appropriate drainage system should be made mandatory.

16. Repeated violators may be booked under Goondas Act through District Co-ordination Committee."

14. Thereafter, this Tribunal had passed the following order:-

"5. Though, it is mentioned in the report that environmental compensation collected may be utilized for restoration of water bodies in respect of Erode District, they have not mentioned in the report as to what is the quantum of environmental compensation imposed and whether it has been realized or not.

6. Further, they have not mentioned in the report regarding the compliance of the directions issued by the Principal Bench of National Green Tribunal, New Delhi in O.A. No.606 of 2018 by Erode Corporation as well as the Pallipalayam Municipality regarding implementation of Solid Waste Management Rules, 2016 and what is the action taken against those local bodies for non-compliance of the directions issued by the regulating authority namely, the Pollution Control Board. Though, certain recommendations have been made to rectify the insufficiency noticed in protecting the water bodies, but they have not mentioned the time line within which the same will have to be completed as well.

7. So under such circumstances, the committee is directed to highlight all these aspects and submit a further report. The Erode Corporation as well as the Pallipalayam Municipality are directed to submit their action plan for implementation of the Solid Waste Management Rules, 2016 and the directions issued by the Principal Bench of National Green Tribunal, New Delhi in O.A. No.606/2018 and the status of implementation within their local bodies and also the action plan that is being formulated for the purpose of protecting the river Cauvery and its tributaries against pollution and keep the water clean throughout the year.

8. They are directed to submit the above reports to this Tribunal on or before 20.11.2020 by e-filing along with necessary hardcopies to be produced as per Rules.

9. The Registry is directed to communicate this order to the members of the committee as well as to the Pollution Control Board and Erode Corporation and also to the Pallipalayam Municipality by e-mail immediately so as to enable them to comply with the direction."

15. The case was posted to 20.11.2020 for consideration of further reports.

Again, the matter was adjourned from time to time by successive notifications, since no reports have been filed.

16. Thereafter, the matter was taken up on 05.01.2021 and this Tribunal had considered the Joint Committee report dated 01.12.2020 and extracted in Para (4) of the order which reads as follows:-

"Joint Committee's Report in respect of SUO MOTU O. A. No. 52 & 67 of 2020 taken up in the Hon'ble NGT (SZ), Chennai Hon'ble National Green Tribunal (SZ) Chennai has taken up a SUO MOTU O. A. No. 52/2020 based on the news published in Dinamalar daily on 28.02.2020 regarding Cauvery River Water Pollution. Subsequently, based on the news published in Dinamalar daily on 09.05.2020 regarding Cauvery River water pollution the Hon'ble NGT (SZ), Chennai has taken up another SUO MOTU O. A No. 67/2020 and has constituted a high level committee and directed the committee to inspect and report vide its Order Dated: 03.03.2020 in O. A. No.:

52/2020 Order Dated: 12.05 2020 in O. A. No.: 67/2020 and Order Dated: 15.05.2020.

The Joint Committee has inspected River Cauvery Stretch in the Erode & Namakkal Districts and the industries located on both sides of the River in the close vicinity on 21-09 2020 & 22-09-2020 and the Comprehensive Report of the Joint Committee was submitted to the Hon'ble NGT (SZ), Chennai.

Subsequently, Hon'ble NGT (SZ), Chennai vide its order dated 09/10/2020 has directed as below:

Para 5 - "Though, it is mentioned in the report that environmental compensation collected may be utilized for restoration of water bodies in respect of Erode District, they have not mentioned in the report as to what is the quantum of environmental compensation imposed and whether it has been realized or not".

Para 6 - "Further, they have not mentioned in the report regarding the compliance of the directions issued by the Principal Bench of National Green Tribunal, New Delhi in o. A. No. 606 of 2018 by Erode Corporation as well as the Pallipalayam Municipality regarding implementation of Solid Waste Management Rules, 2016 and what is the action taken against those local bodies for non- compliance of the directions issued by the regulating authority namely, the Pollution Control Board. Though, certain recommendations have been made to certify the insufficiency noticed in protecting the water bodies, but they have not mentioned the time line within which the same will have to be completed as well."

Para 7 - "So under such circumstances, the committee is directed to highlight all these aspects and submit a further report. The Erode Corporation as well as the Pallipalayam Municipality are directed to submit their action plan for implementation of the Solid Waste Management Rules, 2016 and the directions issued by the Principal Bench of National Green Tribunal, New Delhi in O. A. No. 606/2018 and the status of implementation within their local bodies and also the action plan that is being formulated for the purpose of protecting the river Cauvery and its tributaries against pollution and keep the water clean throughout the year".

Para 8 - "They are directed to submit the above reports to the Tribunal on or before 20.11.2020 by e-filing along with necessary hardcopies to be produced as per Rules".

Based on the above said Order, the following details are submitted:

i. Based on the Orders of Hon'ble NGT in 1038/2018 Dated: 10.07.2019, Environmental Compensation from violating industries was collected by TNPCB as per the guidelines issued by the CPCB. Also, Environmental Compensation was collected from the violating industries through District Co-ordination Committee headed by the District Collectors, Erode and Namakkal. The details of Environmental Compensation collected so far are submitted below:

Environmental Compensation will be utilized for the following environmental activities in the respective Districts:

1. Implementation of green belt development 2. Conducting environmental awareness programmes 3. Bush clearing activities along the water stretches joining river Cauvery for effective monitoring during night hours 4. Removal of water hyacinth grown in the river stretches 5. Eviction of illegal dyeing/ bleaching units I. Implementation of Solid Waste Management Rules, 2016:

In order to implement the Solid Waste Management Rules, 2016 and the directions issued by the Principal Bench of National Green Tribunal, New Delhi in O. A No. 606/2018 the following actions are taken by the TNPCB and the concerned urban local bodies:

1. Action taken by Erode City Municipal Corporation:

TNPCB has issued directions under Section 5 of Environment (Protection) Act, 1986 to the Commissioner, Commissionerate of Municipal Administration, Chennai to instruct Commissioner, Erode Corporation to stop dumping of municipal solid waste on the banks of River Cauvery at Vairapalayam, Erode and to comply with the Solid Waste Management Rules, 2016 vide Board's Proc. Dt. 01/08/2018 a. Vairapalayam MSW dumpsite, Erode The Erode City Municipal Corporation has cleared and processed 80850 m of MSW dumped at Vairapalayam MSW dump site. At present, no MSW is available at the MSW dump site. This will prevent the flow of MSW leachate into River and carryover of municipal solid waste in river water during rainy seasons and flood.

b. Vendipalayam MSW dumpsite, Erode The Erode City Municipal Corporation is in the process of clearing 6,00,000 m of MSW dumped at Vendipalayam, Erode. At present, 1,59,612 m of legacy waste has been processed

2. Action taken by Pallipalayam Municipality:

Kottakadu MSW dumpsite, Pallipalayam The Pallipalayam Municipality is in the process of clearing 40306 mo of MSW dumped at Kottakadu of Pallipalayam Municipality in Namakkal District. At present, 17255 m of legacy waste has been processed.

As per the orders of the Hon'ble National Green Tribunal (SZ), Chennai Dated: 09.10.2020 in O. A. No. 52 of 2020 (SZ) and O. A. No. 67 of 2020, the Erode City Municipal Corporation, Erode and the Pallipalayam Municipality have furnished time bound action plans for processing the remaining legacy waste vide Annexures-1 & II wherein, the Erode City Municipal Corporation has committed to process the remaining legacy waste dumped at vendipalayam dump site before December 2021. Pallipalayam Municipality has committed to process the remaining legacy waste dumped at Kottakadu dump site before March 2021.

Further it is submitted that the action taken by the TNPCB Erode, Perundurai and Komarapalayam along with the respective District Co-ordination committees have already been submitted to the Hon'ble NGT(SZ) vide the report dated 01/10/2020. Subsequent to the orders of the Hon'ble NGT (SZ) dated 09/10/2020, the industries are being monitored regularly. Water samples are also being collected from river Cauvery periodically so as to maintain the river water quality throughout the year.

The recommendations of the joint inspection committee has already been submitted to the Hon'ble NGT(SZ). Copy of the joint committee's earlier report dated 01/10/2020 is submitted as enclosure.

Besides, it is also submitted that sewage Treatment Plants are proposed to be installed by the concerned local bodies located along river Cauvery and its tributaries for the treatment of sewage generated by the urban local bodies. The construction of the proposed Common Effluent Treatment plants in Erode, Bhavani and Pallipalayam will be expedited."

17. Thereafter, this Tribunal had passed the following order:-

"5. It is seen from the report that there is heap of legacy waste to be disposed of in Erode Municipal Corporation and also Kottakadu MSW dumpsite at Pallipalayam. Though a direction was issued by this Tribunal, the action taken by the Pollution Control Board for non-compliance of the direction issued by the Principal Bench of the National Green Tribunal in O.A.No.606 of 2018 is not reflected in this report as well.

6. Though notice was served on the 12th respondent - Pallipalayam Municipality, none entered appearance to represent. Even though on the last hearing date, there was some representation for the 11th respondent - Erode Municipality, today there is no representation. It is not known as to the present stage of the disposal of the legacy

waste in the dump yard and there is no time line given by the Corporation for disposal of the same. It is seen from the annexure to the joint committee report that for steps said to have been taken by the Erode Municipality they will require time upto May, 2022 for completion of the underground drainage system and December, 2021 for the disposal of the legacy waste at Pallipayalayam dump yard.

7. It may be mentioned here that as per the direction of the Principal Bench of the National Green Tribunal, this should have been completed on or before 31.3.2020 and if it is not completed by then they will be liable to pay environmental compensation at a particular slab, as provided therein. But inspite of that, the Pollution Control Board has not taken any steps to implement the direction against the violating local bodies so far.

8. When this was pointed out, the learned counsel appearing for the Pollution Control Board submitted that if some more time is granted, they will come with further action taken report.

9. Considering the circumstances, we feel that some more time can be granted to the Committee to complete the proper action taken report and the present status report regarding the direction that is being implemented by the local bodies in their area and they are directed to submit the report on or before 24.2.2021 by e-filing in the form of Searchable PDF/OCR Supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per Rules.

10. The Registry is directed to communicate this order to the Members of the Committee and also the Executive Officer of Erode and Pallipayalayam Municipalities by e-mail immediately so as to enable them to comply with the directions of this Tribunal. If they fail to comply with the directions of this Tribunal, then they will have to face the consequences of the provisions as contemplated under sections 25 and 26 of the National Green Tribunal Act, 2010."

18. The case was posted to 24.02.2021 for consideration of further reports.

Again, the matter was taken up on 23.03.2021 and this Tribunal had considered the further action taken report submitted by the Tamil Nadu Pollution Control Board dated Nil, e-filed on 23.02.2021 and extracted in Para (2) of the order which reads as follows:-

"Joint Committee's Report in respect of SUO MOTU o.A.No.52 & 67 of 2020 taken up in the Hon'ble NGT (SZ), Chennai It is submitted that the Hon'ble National Green Tribunal (SZ), Chennai has taken up a SUO MOTU O. A. No.52/2020 based on the news published in Dinamalar daily on 28.02.2020 regarding Cauvery River Water Pollution. Subsequently, based on the news published in Dinamalar daily on 09.05.2020 regarding Cauvery River pollution the Hon'ble NGT (SZ), Chennai has taken up another SUO MOTU O. A. No. 67/2020 and has constituted a high level

committee and directed the committee to inspect and report vide its Order Dated:

03.03.2020 in O.A. No.: 52/2020 Order Dated: 12.05.2020 in O.A. No.: 67/2020 and Order Dated: 15.05.2020.

The Joint Committee has inspected River Cauvery Stretch in Erode & Namakkal Districts and the industries located on both sides of the River in the close vicinity on 21-09-2020 & 22-09-2020 and the Comprehensive Report of the Joint Committee was submitted to the Hon'ble NGT (SZ) Chennai.

Subsequently, Hon'ble NGT (SZ), Chennai in its Order Dated: 05-01-2021 in O. A. No. 52 of 2020 (SZ) with O. A. No. 67 of 2020 (SZ) has stated the following:

"5. It is seen from the report that there is heap of legacy waste to be disposed of in Erode Municipal Corporation and also Kottakadu MSW dumpsite at Pallipalayam. Though a direction was issued by this Tribunal, the action taken by the Pollution Control Board for non-compliance of the direction issued by the Principal Bench of the National Green Tribunal in O.A.No.606 of 2018 is not reflected in this report as well.

7. It may be mentioned here that as per the direction of the Principal Bench of the National Green Tribunal, this should have been completed on or before 31.3.2020 and if it is not completed by then they will be liable to pay environmental compensation at a particular slab, as provided therein. But in spite of that, the Pollution Control Board has not taken any steps to implement the direction against the violating local bodies so far."

In view of the above, action has been initiated against the said local bodies and the details are submitted as below;

Action taken by Olo. District Environmental Engineer, TNPCB, Erode on Erode City Municipal Corporation.

Action has been initiated against the Erode City Municipal Corporation by imposing Interim Environmental Compensation of Rs. 8 lakhs (Rupees Eight Lakhs only) for non-compliance of the direction issued by the Principal Bench of the National Green Tribunal in O.A.No.606 of 2018 vide Board's Proceedings No.T1/TNPCBIF 32363/SWM/ NGT 606 of 2018/2020-4, Dated: 27-11-2020 (Copy enclosed) and also directed the following:

1. The Corporation shall comply with the provisions of Solid Waste Management Rules, 2016 and shall comply with the orders passed by the Hon'ble NGT in OA 606 of 2018 from time to time.
2. The Corporation shall provide 100% segregation of waste (covering all wards).
3. The Corporation shall provide required capacity of waste processing facilities for the treatment of biodegradable waste and non-biodegradable wastes.
4. The Corporation is liable to pay Environmental

Compensation till the compliance of conditions stipulated in 1 to

3.

Action taken by Olo. District Environmental Engineer, Komarapalayam on Pallipalayam Municipality.

Direction under section 5 of Environment (Protection) Act, 1986 has been issued by the TNPC Board to the Commissioner, Pallipalayam Municipality to comply with the following conditions vide Board's Proceedings No.T1/TNPCB/SWM/NGT/F.06801/KMP/2021, Dated 09/02/2021 (Copy enclosed).

1. The Municipality shall comply with the provisions of Solid Waste Management Rules, 2016 and shall comply with orders passed by the Hon'ble NGT (PB) in OA 606 of 2018 from time to time. 2. The Municipality shall comply with the orders passed by the Hon'ble NGT (SZ) in O.A. No. 52/2020 & O.A. No. 67/2020. 3. The Municipality shall expedite the bio-mining of the legacy waste dump site and complete the same within the stipulated time as per the orders of the Hon'ble NGT. 4. The Municipality is liable to pay Environmental Compensation if there is any non compliance of conditions stipulated in 1 to 3.

In addition to the above, subsequent action has been initiated against the five violating industries through District Co-ordination Committee, Erode by the O/o. District Environmental Engineer, TNPC Board, Erode and action has been initiated against 32 industries located at Vendipalayam, Erode by sealing and disconnecting the power supply as per the orders of District Collector, Erode.

Based on the Order of Hon'ble NGT in 1038/2018 Dated: 10-07-2019, Environmental Compensation was collected from the violating industries in Erode and Namakkal Districts. The details of Environmental Compensation collected so far are submitted below:

This is submitted for favour of kind information and necessary action please."

19. Thereafter, this Tribunal had passed the following order:-

"4. Even today none represented Erode Corporation as well as Pallipalayam Municipality who are expected to file their respective action plan for carrying out Solid Waste Management Rules in their respective local bodies. However, considering the circumstances prevailing in the state as election has been declared we feel that some more time can be granted to the authorities to file their respective action plan and the progress status report of the implementation of Solid Waste Management Rules, 2016 in the respective areas including the disposal of legacy waste that is already there in the dumping ground.

5. The Pollution Control Board also did not file any independent report regarding the status regarding the implementation of the Solid Waste Management Rules and also

disposal of the legacy waste in the dumping ground except stating that they have to comply with the orders passed by this Tribunal and also expedite the bio-mining of legacy waste. Being a regulator they are expected to inspect the area in question and submit the present status of the progress, if any, done by the local bodies in disposing the legacy waste within their respective areas. When this was pointed out the Learned Counsel appearing for the Pollution Control Board submitted that they will come with a further report regarding this aspect if some time is granted.

6. As regards the industries are concerned certain environmental compensation has been imposed and the same has been collected. They have not mentioned as to whether the environmental compensation has been levied against the municipalities also and whether it has been recovered or not. So, they are directed to submit further report in this regard. The local bodies are also directed to come with proper action plan with the progress report regarding disposal of the legacy waste and also the implementation of Solid Waste Management Rules and compliance of the directions issued by Principal Bench in O.A. No. 606 of 2018 in their respective areas on or before 27.04.2021 by e-filing in the form of Searchable PDF/OCR Supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per Rules.

7. The Registry is directed to communicate this order to the Members of the Committee, Chief Secretary, State of Tamil Nadu and also the Executive Officer of Erode and Pallipalayam Municipalities by e-mail immediately so as to enable them to comply with the directions."

20. The case was posted to 27.04.2021 for consideration of further reports.

Thereafter, the matter was taken up on 08.07.2021 and this Tribunal had considered the report submitted by the Tamil Nadu Pollution Control Board signed by the officer on 06.07.2021 and extracted in Para (4) of the order which reads as follows:-

"Tamil Nadu Pollution Control Board's Report in respect of SUO MOTU O. A. No. 52 & 67 of 2020 in the Hon'ble NGT (SZ), Chennai It is submitted that the Hon'ble National Green Tribunal (SZ), Chennai has taken up a SUO MOTU O. A. No. 52/2020 based on the news published in Dinamalar daily on 28.02.2020 regarding Cauvery River Water Pollution. Subsequently, based on the news published in Dinamalar daily on 09.05.2020 regarding Cauvery River pollution, the Hon'ble NGT (SZ), Chennai has taken up another SUO MOTU O. A. No. 67/2020 and has constituted a high level committee and directed the committee to inspect and report vide its Order Dated:

03.03.2020 in O. A. No.: 52/2020 and passed subsequent Orders on 12.05.2020 and 15.05.2020, combining both the O. A. Nos. 52 & 67/2020.

Subsequently, Hon'ble NGT (SZ), Chennai vide its Order Dated: 23.03.2021 in O. A. No. 52 of 2020 (SZ) and O. A. No. 67 of 2020 (SZ) has directed TNPCB to file independent report regarding the present status of progress in the disposal of the legacy waste dumped in Erode and Pallipalayam.

The Joint Committee has inspected the legacy waste disposal sites on 16.04.2021 and submitted report to Hon'ble NGT (SZ).

To file individual report on the present status, the TNPCB officials have inspected the legacy waste site of Erode City Municipal Corporation located at Vendipalayam on 02.07.2021 and the report is submitted as below.

1. Status of Processing of legacy waste in Erode, Erode District a. Vairapalayam Dump Site, Erode Earlier, the Erode City Municipal Corporation had dumped approximately 80,850 m³ of solid waste at Vairapalayam on the right bank of River Cauvery. Based on the directions issued by the TNPCB on 13.01.2020, the Corporation has processed and removed entire quantity of the legacy waste dumped at Vairapalayam dump site.

b. Vendipalayam Dump Site, Erode The Erode City Municipal Corporation had dumped approximately 6,00,000 m³ of solid waste at Vendipalayam, Erode. During inspection of this legacy waste dumpsite, it was informed by the Erode City Municipal Corporation officials that approximately 3,00,000 m³ of legacy waste has been processed. The Erode Corporation authorities have informed that the remaining quantity of legacy waste will be processed before 31.12.2021.

Status of disposal of legacy waste from Kottakadu Dumpsite, Pallipalayam in Namakkal District a. Kottakadu Dump Site, Pallipalayam Municipality The bio-mining site of Pallipalayam Municipality located at Kottakadu dump site, Pallipalayam, Kumarapalayam Taluk, Namakkal District was inspected by the Officials of TNPCB, Kumarapalayam on 02.07.2021 and found that the Pallipalayam Municipality was carrying out bio-mining process. The Pallipalayam Municipality has so far processed around 31,325 m³ of legacy waste from the total accumulated quantity of 40,306 m³. The Pallipalayam Municipality has informed that the entire legacy wastes accumulated at Kottakadu dump site, Pallipalayam will be processed and removed before 30.09.2021.

II. Details of Environmental Compensation imposed to Erode City Municipal Corporation a. Environmental Compensation imposed to Erode City Municipal Corporation:

In the mean time, The Chairman, TNPCB vide Proceedings No.T1/TNPCB/F.32363/SWM/NGT 605 of 2018/2020-4, Dated: 27.11.2020 has levied Rs. 8 lakhs (Rupees Eight Lakhs only) as an interim Environmental Compensation for a period of 8 months (April 2020-November 2020) to the Erode Corporation for non-compliance of Solid Waste Management Rules 2016. The Chairman, TNPCB has also issued directions to the Commissioner, Erode City Municipal Corporation to remit the interim Environmental Compensation of Rs.8 Lakhs. Further, it is informed that the Corporation is liable to remit Environmental Compensation till the compliance of the

following directions.

1. The Corporation shall comply with the provisions of Solid Waste Management Rules, 2016 and shall comply with the orders passed by the Hon'ble NGT in OA 606 of 2018 from time to time.
2. The Corporation shall provide 100% segregation of waste (covering all wards).
3. The Corporation shall provide required capacity of waste processing facilities for the treatment of biodegradable waste and non-biodegradable wastes.
4. The Corporation is liable to pay Environmental Compensation till the compliance of conditions stipulated in 1 to 3.

b. Directions issued to Pallipalayam Municipality, Namakkal District Directions under the Section 5 of Environment (Protection) Act, 1986 has been issued by the TNPC Board to the Commissioner, Pallipalayam Municipality to comply with the following conditions vide Board's Proceedings No.T1/TNPCB/SWM/NGT/F.06801/KMP/ 2021, Dated 09.02.2021.

1. The Municipality shall comply with the provisions of Solid Waste Management Rules, 2016 and shall comply with orders passed by the Hon'ble NGT (PB) in OA 606 of 2018 from time to time.
2. The Municipality shall comply with the orders passed by the Hon'ble NGT (SZ) in O.A. No. 52/2020 & O.A. No. 67/2020.
3. The Municipality shall expedite the bio-mining of the legacy waste dump site and complete the same within the stipulated time as per the orders of the Hon'ble NGT. 4. The Municipality is liable to pay Environmental Compensation if there is any non-compliance of conditions stipulated in 1 to 3.

It is submitted that TNPCB will closely monitor the progress in the disposal of balance legacy waste dumped at Vendipalayam Dump site, Erode District and Kottakadu Dump site at Pallipalayam Municipality, Namakkal District.

The Erode City Municipal Corporation has not remitted Environmental Compensation. Erode City Municipal Corporation will be insisted to remit the Environmental Compensation immediately.

The Erode Legacy waste dump site was inspected by the District Collector, Erode on 28.06.2021 and the District Collector, Erode instructed the Corporation officials to expedite the biomining process.

Further, the photographs taken during the inspection of the legacy waste dump sites are enclosed as Annexure - 1.

This is submitted for favour of kind information please."

21. This Tribunal also considered the status report submitted by the Commissioner, Pallipalayam Municipality in O.A. No.52/2020 dated Nil, e-filed on 31.05.2021 and extracted in Para (5) of the order which reads as follows:-

"STATUS REPORT FILED ON BEHALF OF THE 12th Respondent I, A. Jahir, son of M. Abdul Kuthus, aged about 55years, residing at 27, Chandrodaya Garden, Udumalpetai - 642126, do solemnly affirm and sincerely state as follows:

2. I am the Municipal Commissioner, Pallipalayam Municipality, having my office at 5, Sankagiri Bye-Pass Road, Pallipalayam, Namakkal District -

638006. I am acquainted with the facts of the case from records. I am filing this status report on behalf of the 12th respondent.

3. It is submitted that this Hon'ble Tribunal has taken a suomoto case in O.A. No. 52/2020 and O.A. No. 67/2020 based on the news published regarding Cauvery river water pollution wherein this Hon'ble Tribunal vide its order dated 09.10.2020 directed the Erode Corporation as well as the Pallipalayam Municipality to submit their plan for implementation of the Solid Waste Management Rules, 2016 and the direction issued by the Hon'ble Principle Bench of National Green Tribunal, New Delhi in O.A. NO. 606/2018, and the status of implementation within their local bodies and also the action plan that is being formulated for the purpose of protecting the river Cauvery and its tributaries against pollution and keep the water clean throughout the year.

4. It is submitted that the Pallipalayam Municipality is having a population of 40140 spread over an area of 4.70 sq.km. consisting of 21 wards. There are 13709 houses and 796 commercial establishment. Further, it is submitted that 4.34 MLD of sewage is generated from Pallipalayam Municipal limit. A Detailed Project Report (DPR) is prepared under Nadanthai Vaali Cauvery Scheme by PWD irrigation department for treated 4.34 MLD of sewage. At present, the aforesaid Detailed Project Report (DPR) is pending for approval before the Government. On approval of the said Detailed Project Report (DPR), the sewage generated from 12471 Households and septage will be collected through sullage tanker lorries. As per Memorandum of Understanding (MOU) between Pallipalayam Municipality and Erode Corporation. The collected septage will be delivered to treatment plant (STP) of Erode Corporation. Therefore, no sullage will be mixed in River Cauvery in future.

5. The generation of MSW is 12 MT/day out of which 7MT is biodegradable wet waste, 0.50MT is saleable dry waste, 3.37 MT is non-saleable dry waste, 0.001 MT of e-waste and 0.029 MT of domestic hazardous waste, 0.10 MT of Construction and Demolition waste and remaining 1.00Mt are inerts.

6. It is submitted that the Solid Waste Management Activities are being carried out as per Solid Waste Management rules, 2016 as stated below:

A. DOOR TO DOOR COLLECTION & SEGREGATION

(i) The garbage generated is collected by using two (2) Light Commercial vehicles and twenty (20) Battery Operated vehicles. Further, the hand driven pushcarts and tricycles are eradicated from garbage collection activities.

(ii) Pallipalayam Municipality has deployed twenty four (24) permanent workers and ninety four (94) outsourcing workers for daily Solid Waste Management activities. In addition to above, two(2)tipper lorries have been used for transportation of dry waste, inert and construction and demolition waste in the town limit. All the waste are segregated at household level by people themselves and handed over to cleanliness workers of municipality which is transported to concerned processing centre.

B. PROCESSING OF SOLID WASRTE I. Wet waste The processing of wet waste is being done through following methods:

(i) Micro Compost Centre Under Swachh Bharath Mission Scheme, a micro compost centre was constructed at Avarankadu in PallipalayamMunicipality, Komarapalayam Taluk, Namakkal District with a capacity of 2(TPD).

Around 2 MT of wet waste is being processed in the aforesaid micro compost centre and converted into manure. Till date 441MTof manure has been generated from the said micro compost centre and given to farmers at free of cost. The manure is tested in Green Link Analytical and Research Laboratory, Coimbatore and found as good quality organic manure.

(ii) Bio Methanation Plant Around 4.50 MT of wet waste from vegetable market and hotels are being processed in bio methanation plant located at Kottakadu compost yard, Pallipalayam, Komarapalayam Taluk, Namakkal District. The electrical energy produced by the aforesaid plant is used for lighting the compost yard.

(iii) Bulk Waste Generators Six (6) bulk waste generators are identified in the Municipal limit. 0.53 MT of wet waste from the bulk waste generators are being processed by themselves.

(iv) Home Composting 0.25 MT of wet waste generated in 118 households are processed by themselves in their own agricultural lands and in their own places and backyards. All the 7 MT of wet waste is being processed without any dumping.

C. PROCESSING OF DRY WASTE

(i) Saleable dry waste Paper, plastic and metals are sold to local vendors by cleanliness workers themselves (daily 0.051 MT is sold out). Around 8.50MTof saleable waste is sold out of Rs. 3.84 lakhs till date, which is shared among cleanliness workers.

(ii) Non Saleable Dry Waste At present, non saleable dry waste has been sent to a factory owned by M/s. Ultra Tech Cement Pvt. Ltd., at Ariyalur for processing and disposal.

(iii) E waste E waste is collected and stored in a Resource Recovery Centre located at Avathipalayam, Kottakadu, Komarapalayam Taluk, Namakkal District. At present, E-waste is sent to M/s. Leela Traders, Chennai for processing and disposal.

(iv) C & D waste A separate location at Janatha Nagar, Pallipalayam Municipality with an extent of 0.05 acre is earmarked for storage of C & D waste. The C & D wastes are used by producers themselves for filling in construction activities.

D. INERT & SILT The inert & silt generated in the Municipal limit is being transported and used for filling low lying areas.

All efforts are being taken from Door to door collection, source segregation till processing and disposal of solid waste. Around twenty eight (28) street bins were removed and most of the streets made binless in residential areas. In commercial areas and public places litterbins are placed and they are cleared on daily basis.

E. BIO MINING OF EXISTING LEGACY WASTE The existing legacy waste at Kottakadu dumping site, Pallipalayam, Komarapalayam Taluk, Namakkal District is in being processed. Out of total quantity of 40306 cubic meter of legacy waste, around 27000 cubic meter of legacy waste is processed as on March, 2021 which is 67% of the total volume. The remaining 13306cubicmeter of legacy waste will be cleared by September, 2021.

7. It is respectfully submitted that under Swachh Bharath Mission - Integrated Solid Waste Management Scheme, 2018-19, the Pallipalayam Municipality issued a tender dated 11.09.2018, to remove legacy waste dumped in the Kottakadu dumping site, Pallipalayam, Komarapalayam Taluk, Namakkal District through Bio-Mining Process wherein one M/s. Esarams Biotech, Namakkal was identified as the successive bidder and work order dated 24.10.2018 was issued in their favour by the Pallipalayam Municipality. It is pertinent to submit here that the contract period is for 12monthsfrom the date of issue of work order.

8. It is respectfully submitted that M/s. Esarams Biotech, Namakkal faced numerous challenges in completing the work within time limit at Kottakadu dumping yard where 55%of volume of legacy waste is above the ground level and rest 45%is below the ground level. Initially, the area was completely filled with garbage except the machinery area and there was no space for the vehicle movement. In the bio mining process, all the fractions have to be separate during the trammel system and it is important that the waste material should be dry enough to complete segregation. In the rainy days, the plant was forced to shut down as the waste materials get heavily wet and cannot be processed without drying the waste materials. In such cases, for example if it rains for one day, work will be delayed for next 5-7 days because of the wet condition in the waste material.

Hence, the work was not continuous and Municipality was forced to stop during and after these rainy days, depending up on the intensity of the rainfall.

9. It is respectfully submitted that during Covid -19 lockdown, the movements of the vehicles were stopped resulting in halt of work from March, 2020 to August, 2020. Once the lockdown restrictions were released, the seasonal rainfall has started and work could not be completed in fast manner from the month of September, 2020 to February, 2021. Thereafter, on 26.02.2021 Tamil Nadu Assembly election rules came into force resulting in shortage of labours, and the project could not be completed by 31.03.2021. The same was informed to the Pollution Control Board at Komarapalyam vide letter dated 16.04.2021 in Na.Ka.No. 443/2018/E1 and an extension of time to complete the said project by 30.09.2021.

10. It is respectfully submitted that the waste material above the ground level has been cleared at Kottakadu dumping yard. Now, work to clear the below ground level has began which is more difficult comparing to the above ground level conditions especially in and after the rainy days. However, the 12th respondent undertakes before this Hon'ble Tribunal that the remaining 13306 cubic meter of legacy waste will be cleared by 30th September, 2021 and request this Hon'ble Tribunal by extending the time considering the Covid-19 pandemic, insufficient space and seasonal rainfall.

It is, therefore, prayed that this Hon'ble Tribunal may be pleased to take on record the above submissions made and pass appropriate order/further orders as deemed fit and necessary in the circumstances of the case and thus render justice."

22. This Tribunal had also considered the report submitted by the Erode City Municipal Corporation/11th Respondent in O.A. No.52/2020 dated Nil, e-

filed on 04.06.2021 and extracted in Para (7) of the order which reads as follows:-

"Report filed by the 11th respondent Erode City Municipal Corporation Erode City Municipal Corporation is having a population of 4.98 lakhs spread over an area of 109.52 sq. km. consisting of 60 wards. There are 1.30 lakhs houses and 17000 commercial establishments. 33.75 MLD of sewage is generated from Erode City Municipal Corporation limit. The Corporation has installed a sewage treatment plant with a capacity of 50.55 MLD (MBBR Technology) at peelamedu Village, Vendipalayam. At present, 15000 Households are connected to sewage treatment plant through UGDSS. 6.00 MLD of sewage generated from these 15000 households is conveyed to sewage Treatment Plant (STP) .The treated sewage after meeting the standards is discharged into perumpallam odai which finally joins with River Cauvery. The UGSS for another 75000 Households will be completed before May 2022. The Sewage generated from 10000 Households is treated through septic tank. The septage Collected from this septic tank has been treated in STP so that no sullage will be mixed in River Cauvery in future.

The Solid Waste Management Activities are being carried out as per Solid Waste Management rules 2016 as below. in pre The generation of MSW is 165 MT / day out of which 75MT is bio degradable wet waste, 2MT is saleable dry waste. 70.50MT is

non - saleable dry waste, 0.20 MT of e waste and 0.30MT of domestic hazardous waste, 2MT of Construction and Demolition Waste and the remaining 15MT are inerts.

Door to Door Collection & Segregation The Garbage generated is collected by using 89 Nos of Light Commercial vehicles and 90 Nos of Battery Operated vehicles. The hand driven pushcarts and tricycles are eradicated from garbage collection activities. Erode City Municipal Corporation has deployed 603 permanent workers and 564 self help group workers for daily Solid Waste Management activities. In addition to above 12 dumper placers, 4 compactors, 4 tipper Lorries has been used for transportation of dry waste. Inert and Construction and Demolition waste in the city limit. All the waste are segregated at household level by people themselves and handed over to cleanliness workers of corporation which is transported to concerned processing centers are segregated at household level by people themselves and handed over to cleanliness workers of corporation which is transported to concerned processing centers.

Processing of Solid Waste Wet Waste The Processing of wet waste is being done through following methods. a. Micro Compost Center:

24 Nos of micro compost centers were constructed under Smart City Mission with the capacity of 72 (TPD). Around 63 MT of wet waste is being processed in above Micro Compost Centers and converted in to Manure. Till date 2150 MT of manure has been generated from above Micro Compost Center and given to farmers at free of cost. The Manure is tested in Tamil Nadu Agricultural University, Coimbatore and found as good quality organic manure.

b. Bio methanation Plant:

Around 3MT of wet waste from vegetable market and hotels are being processed in bio methanation plant located at vendipalayam compost yard. The electrical energy produced by the above plant is used for lighting the compost yard.

c. Bulk Waste Generators:

65 Nos of bulk waste generators are identified in the city limit 6MT of wet waste from the bulk waste generators are being processed by themselves.

d. Home Composting:

3MT of wet waste generated in 6350 households are processed by themselves in their own agricultural lands and in their own places and backyards.

All the 75MT of Wet Waste is being processed scientifically without any dumping.

Processing of Dry Waste:

1. Saleable dry waste:

Paper, plastic and metals are sold to local vendors by Cleanliness workers themselves (Daily 6 MT is sold out). Around 680 MT of saleable waste is sold out for Rs.26.40lakhs till date, which is shared among Cleanliness workers.

2. Non saleable Dry Wastes Non saleable dry waste will be processed through incineration 2 Nos of incinerator with a capacity of 35 TPD is under construction under smart city mission. The construction of 35 TPD incinerators will be completed before May 2021. Tender called for another one incinerator with the capacity of 25TPD which will be nude functional before December 2021. At present Non Saleable dry waste has been sent to Cement Factory for processing and disposal.

3. E-waste:

E Waste is collected and stored in vendipalayam and vairapalayam Resource Recovery Centers. Necessary memorandum of understanding has been signed with INPCB authorized vendor.

4. C & D waste:

A separate location at solar (TS number 11 / 1.2.3) with an extent of 10 Acre is earmarked for storage of C & D waste. The C & D wastes are used by producers themselves for filling in construction activities. Remaining waste is stored in Corporation site.

INERT & SILT The inert & Silt generated in the city limit is being transported and stored in Vendipalayam Compost yard separately and is being used for filling low lying areas.

All efforts are being taken from Door to door collection, source segregation till processing and disposal of solid waste. Around 550 numbers of street bins were removed and most of the streets made binless in residential areas. In Commercial areas and public places litter bins are placed and they are cleared on daily basis.

Bio Mining of existing legacy waste The existing legacy waste in the river hank of Cauvery at Vairupulayam is entirely cleared through bio mining technology. As of now no solid waste and legacy waste polluting the river Cauvery. The existing legacy waste in vendipalayaan dumping yard is being processed. Around 2 lakh cubic meter of legacy waste is already processed and the remaining 4 lakh cubic meter of legacy waste will be cleared by December 2022."

23. Thereafter, this Tribunal had passed the following order:-

"8. It is seen from the report that the existing legacy waste in the river bank of Cauvery at Vairapalayam had been entirely cleared by bio-mining and as of now, no solid waste or legacy waste available in that area. The existing legacy waste in the Vendipalayam dumping yard is being processed and already they have processed about 2 Lakhs Cu.M. of legacy waste and the remaining 4 Lakh Cu.M. will be cleared by December - 2022. They also mentioned the manner in which the waste management rules are being implemented in that area.

9. It is also mentioned in the report that for the purpose of disposal of the non saleable dry waste, they have proposed to have 2 Nos. of incinerator with capacity of 35 TPD which is under construction under the Smart City Mission and the construction of 35 TPD incinerator will be completed by May - 2021. They have called for tender for installation of another incinerator with capacity of 25 TPD which will be made functioned before December - 2021. At present, non saleable waste is being sent to cement factories for processing and disposal.

10. The time limit proposed for clearing the legacy waste in the dumping yard of Erode City Municipal Corporation upto December - 2022 is too long, which cannot be permitted to be there for such a long time, as it will have an impact on soil as well as ground water around that area. Further, the time limit for implementing the Solid Waste Management Rules, 2016 was fixed as 31.03.2020 by the Principal Bench in O.A. No.606 of 2018. So, the Erode Municipal Corporation has to expedite the disposal of legacy waste at the earliest by employing more persons and also providing more machineries for that purpose.

11. The report of the Tamil Nadu Pollution Control Board shows that they have already imposed environmental compensation of Rs.8 Lakhs on Erode City Municipal Corporation and also issued certain directions to the Pallipalayam Municipality and they are closely monitoring the dump yards and also the progress of the work. They have not mentioned as to why they have not imposed any environmental compensation on Pallipalayam Municipality, as they also did not strictly comply with the directions issued by the Principal Bench of National Green Tribunal in O.A. No.606 of 2018.

12. So, the Pollution Control Board is directed to file further progress report and action taken report and also the steps taken by them for recovery of compensation already imposed against the Erode City Municipal Corporation.

13. The Erode City Municipal Corporation as well as the Pallipalayam Municipality are also directed to file their further progress report regarding the disposal of the legacy waste and the steps taken by them for effective implementation of the Solid Waste Management Rules, 2016 within their respective jurisdiction.

14. The Tamil Nadu Pollution Control Board is also directed to ascertain the water quality of the Cauvery river passing through these two local bodies so as to ascertain as to whether the water has been contaminated and if so, what are the remedial measures to be taken and if there is any improvement in the water quality on account of the steps said to have been taken by the local bodies may be reported and if there is any gap, what is the nature of remedial measures to be taken by them to rectify the same.

15. The District Collector, Namakkal as well as Erode are directed to file the steps taken by them as required under Rule 12 of the Solid Waste Management Rules, 2016 to curb the pollution that is being caused to the Cauvery River.

16. The above officials are directed to file their respective reports to this Tribunal on or before 27.08.2021 by e-filing in the form of Searchable PDF/OCR Supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per Rules.

17. The Registry is directed to communicate this order to the Tamil Nadu Pollution Control Board, District Collector, Erode as well as Namakkal, Erode City Municipal Corporation and Pallipalayam Municipality, apart from communicating this order to the Principal Secretary for Environment, Additional Chief Secretary for Municipal Administration and Water Supply for their information and also look into the issue and provide necessary logistics both financial as well as technical (if any) required to expedite the mechanism and see that the Cauvery River is free from pollution and submit a progress report to this Tribunal before the next hearing date."

24. The case was posted to 27.08.2021 for consideration of further progress report. On 27.08.2021, this Tribunal had considered the further report submitted by the Tamil Nadu Pollution Control Board dated 26.08.2021, e-

filed on 27.08.2021 and extracted in Para (4) of the order which reads as follows:-

"REPORT FILED ON BEHALF OF THE 2ND & 3RD RESPONDENTS TAMIL NADU POLLUTION CONTROL BOARD.

I, R. Rajamanickam, Son of P.M.Ramasamy, Hindu, aged about 54 years, having my office at No.76, Mount Salai, Guindy, Chennai-32, do hereby solemnly affirm and sincerely state as follows:

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-32, and I am filing this Report on behalf of the 2nd & 3rd Respondents, Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the case as per the records.

2. It is respectfully submitted that, the Hon'ble NGT (SZ) in its orders dated 08.07.2021 directed inter alia as follows:

".....Para 11: The report of the Tamil Nadu Pollution Control Board shows that they have already imposed environmental compensation of Rs.8 Lakhs on Erode City Municipal Corporation and also issued certain directions to the Pallipalayam Municipality and they are closely monitoring the dump yards and also the progress of the work. They have not mentioned as to why they have not imposed any environmental compensation on Pallipalayam Municipality, as they also did not strictly comply with the directions issued by the Principal Bench of National Green Tribunal in O.A. No.606 of 2018.

Para 12: So, the Pollution Control Board is directed to file further progress report and action taken report and also the steps taken by them for recovery of compensation already imposed against the Erode City Municipal Corporation.

Para 14: The Tamil Nadu Pollution Control Board is also directed to ascertain the water quality of the Cauvery river passing through these two local bodies so as to ascertain as to whether the water has been contaminated and if so, what are the remedial measures to be taken and if there is any improvement in the water quality on account of the steps said to have been taken by the local bodies may be reported and if there is any gap, what is the nature of remedial measures to be taken by them to rectify the same".

Status and action taken report with respect to Erode City Municipal Corporation:

3. It is respectfully submitted that in pursuant to the said NGT order dated 08.07.2021, the Compliance Report of the conditions imposed in the directions issued by the TNPCB to Erode City Municipal Corporation vide Board Proceeding dt. 27.11.2020 is as follows:

Sl. No.	Conditions	Compliance Report
1.	The Corporation with	shall The Erode City Municipal Corporation the is carrying out door to door collection

provisions of the Solid and segregation of solid wastes in all the Waste Management wards. The Erode City Corporation has Rules, 2016 and shall assured to comply with the provisions of comply with the orders the Solid Waste Management Rules, passed by the Hon'ble 2016 and shall comply with the orders NGT in O.A.No.606 of passed by the Hon'ble NGT in O.A. 2018 from time to time. No.606 of 2018 from time to time.

2. The Corporation shall Complied with.

provide 100% segregation The Erode City Municipal Corporation of waste (covering all is carrying out door to door collection wards) and segregation of solid wastes in all the wards.

3. The Corporation shall Complied with.

provide required capacity The Erode City Municipal Corporation of waste process facilities is carrying out door to door collection for the treatment of bio and segregation of solid wastes in all the degradable waste and non wards. The Erode City Municipal bio degradable wastes. Corporation has provided 24 Micro Composting Centres at various locations within the Erode Corporation limit for the processing of bio degradable waste generating from all of its wards. Hence, dumping of fresh waste is eliminated.

4. The Corporation is liable The Erode City Municipal Corporation to pay Environmental has not remitted Interim Environmental Compensation till the Compensation of Rs.8 Lakhs (Rupees compliance of conditions Eight Lakhs only). However, the stipulated in 1 to 3. Commissioner, Erode City Municipal Corporation has requested the Chairman, TNPCB, Chennai to reconsider the Environmental Compensation imposed to the Erode City Municipal Corporation as bio mining of legacy waste will be completed by December 2021 vide letter dated 19.07.2021.

Progress in the processing of legacy waste in Erode:

Vairapalayam Dump Site, Erode Earlier, the Erode City Municipal Corporation had dumped approximately 80,850 ms of solid waste at Vairapalayam on the right bank of River Cauvery.

Based on the directions issued by the TNPCB on 13.01.2020, the Corporation has processed and removed entire quantity of the legacy waste dumped at Vairapalayam dump site.

Vendipalayam Dump Site, Erode The Erode City Municipal Corporation had dumped approximately 6,00,000 m of solid waste at Vendipalayam, Erode. During inspection of this legacy waste dumpsite, it was informed by the Erode City Municipal Corporation Officials that approximately 3,25,000 m³ of legacy waste has been processed. The Erode Corporation authorities have informed that the remaining quantity of legacy waste will be processed before 31.12.2021.

Status of collection of Environmental Compensation imposed to Erode City Municipal Corporation:

The Chairman, TNPCB has levied Rs. 8 lakhs (Rupees Eight Lakhs only) as an interim Environmental Compensation for a period of 8 months (April 2020 - November 2020) to the Erode Corporation for non-compliance of Solid Waste Management Rules, 2016 vide Proceedings No. T1/TNPCB/F.32363/ SWM/NGT 606 of 2018/2020-4, Dated: 27.11.2020.

Further, a letter has been addressed to the Commissioner, Erode City Municipal Corporation, Erode vide DEE, TNPCB, Erode letter dated:

13.07.2021 to remit the Interim Environmental Compensation of Rs. 8 lakhs (Rupees Eight Lakhs only) at the earliest so as to submit the action taken report regarding the recovery of Environmental Compensation to Hon'ble National Green Tribunal (SZ), Chennai.

It is further submitted that, the Commissioner, Erode City Municipal Corporation has requested the Chairman, TNPCB, Chennai to reconsider the Environmental Compensation imposed as the biomining of legacy waste will be completed by December 2021 vide letter dated 19.07.2021.

In this regard, the Commissioner, Erode Municipality was instructed to remit the Environmental compensation and to comply with the directions issued by the Board vide letter dated 26.08.2021.

Status and action taken report with respect to Pallipalayam Municipality:

4. It is respectfully submitted that the Compliance status of the conditions stipulated in the directions issued to the Pallipalayam Municipality under section 5 of the Environment (Protection) Act, 1986 as amended vide Board Proceeding dated 09.02.2021 is as follows:

Sl. No.	Conditions	Compliance
1.	The Municipality shall comply The Municipality has complied the Rule with the provisions of the Solid 22 of Solid Waste Management Rules, Waste Management Rules, 2016 for Serial No.1 to 10 and yet to 2016 and shall comply with comply the Rule 22 in Serial No.11 of the orders passed by the Solid Waste Management Rules, 2016, Hon'ble NGT (PB) in regarding time frame for implementation O.A.No.606 of 2018 from time of bio remediation or capping of old and to time. abandoned dump sites within five years from 08.04.2016 (i.e. upto 07.04.2021) Based on the above, Environmental Compensation has been calculated and submitted to Board vide this Office letter dated 26.07.2021.	

Also the Municipality has not commenced setting up of STP.

2. The Municipality shall comply As mentioned in the Sl. No.1 with the orders passed by the Hon'ble NGT (SZ) in O.A. No.52/2020 and O.A.

3. The Municipality shall As per the Rule 22 (Serial No.11) of Solid expedite the bio mining of the Waste Management Rule, 2016, time legacy waste dump site and frame for implementation of bio complete the same within the remediation or capping of old and stipulated time as per the abandoned dump sites has not been orders of the Hon'ble NGT. completed till date.

4. The Municipality is liable to Environmental Compensation have been pay Environmental calculated and submitted to Board vide Compensation if there is any this Office letter dated 26.07.2021 for the non compliance of the non compliance of the Solid Waste conditions stipulated in 1 to 3. Management Rules, 2016.

5. It is respectfully submitted that in pursuant to the Hon'ble NGT order dated 08.07.2021 the Pallipalayam municipality Bio mining site was inspected by the DEE, Kumarapalayam on 26.07.2021 and following were observed:

The Pallipalayam Municipality is generating 12 MT/Day of solid waste of which, 7 MT is biodegradable wet waste, 0.5 MT is saleable dry waste, 3.37 MT is non saleable dry waste, 0.001 MT of E-waste, 0.029 MT of Domestic Hazardous waste, 0.1 MT of construction and demolition waste and remaining 1 MT are inert material.

- The Pallipalayam Municipality has provided Micro Compost Centre (MCC) - 2 MT (Operating at Avarangadu, Pallipalayam) and Bio Methanation Plant - 5 MT (Operating at Kottakadu, Pallipalayam) The Pallipalayam Municipality has obtained Authorization under the Solid waste management Rules, 2016 for the operation of waste processing facility vide Proc. dated 22.04.2019 for the period valid up to 31.03.2020 and yet to apply for renewal of authorization.

The Municipality has provided Bio mining facility for processing the legacy waste at Kottakadu dump site, Pallipalayam, Namakkal District and the total area to be reclaimed is 1.16 acres to the quantity of 40306 cubic meter of legacy waste. The Municipality has processed 32680 cubic meter of legacy waste as on date.

The municipality has installed machinery to the capacity of 30 T/Day or 37.5 cubic meter/day (Approximately one cubic meter of legacy waste is 800 kg), by which only 2513 cubic meter shall be processed out of 7626 cubic meter of legacy waste on or before 30.09.2021 (67 days) and the remaining 5113 cubic meter could not be processed on or before 30.09.2021.

It was reported by the Municipal Engineer of Pallipalayam Municipality that they are in process of procuring additional machinery for processing the legacy waste, since the remaining legacy waste 7626 cubic meter are to be processed within 30.09.2021.

- Hence, the Pallipalayam municipality has not provided adequate capacity of material recovery facilities and there exists a gap in solid waste management.

Further, it is submitted that under rules 22 (Serial No. 11) of Solid Waste Management Rules, 2016, time frame for implementation of bio-remediation or capping of old and abandoned dump sites within five years from 08/04/2016 (i.e., upto 07/04/2021).

6. It is respectfully submitted that the Pallipalayam municipality has not completed the implementation of bio-remediation or capping of old and abandoned dump sites till date and

thereby not complying with the provisions of Solid Waste Management Rules, 2016. In view of the above, the Board has issued show cause notice as to why an interim environmental compensation of Rs.5 Lakhs for the period from April-2021 to August- 2021 (5 months) may not be levied to Pallipalayam Municipality under section 5 of the Environment (Protection) Act, 1986 vide proc. Dated 26.08.2021.

Cauvery River Water Quality:

7. It is respectfully submitted that the Water samples are collected from the river Cauvery at three locations in Erode District at regular intervals. Presence of fecal coliform in the water indicates the disposal of sewage in the river. In this connection, it is reported that the Erode City Municipal corporation has 60 wards and 36 wards are connected with UGDSS. In the remaining 24 Wards UGDSS work is in progress. Sewage collected through the UGDSS is treated in the 50.5 MLD capacity STP maintained by the Corporation. The Commissioner, Erode City Municipal Corporation was instructed to expedite the UGDSS works in the remaining 24 wards.

In this regard, directions has been issued to the M/s. Erode City Municipal Corporation vide Proc. dt. 25.11.2019 to expedite the UGDSS work and to provide STP to prevent disposal of untreated sewage into River Cauvery and Kalingarayan canal and vide Proc. dt. 18.06.2021 to complete the underground sewerage system for the unsewered area and to ensure 100% treatment of sewage.

8. It is respectfully submitted that the ROA of the water samples collected during January 2020, February 2020, May 2020 to April 2021 in the River Cauvery passing through Pallipalayam Municipality reveals that the total coliform and faecal coliform were present. The Pallipalayam Municipality has to provide Sewage Treatment Plant to treat the sewage generated from the Municipality.

In this regard, directions has been issued to the Commissioner, Pallipalayam Municipality vide Board Proc. dt. 26.08.2021 to provide full fledged underground sewerage scheme with Sewage Treatment Plant to treat the sewage generated from the Municipality. , Else the Municipality is liable to pay Environmental Compensation as per Hon'ble National Green Tribunal(NGT), Principal Bench order dt. 02.07.2020 in O.A.No. 606 of 2018.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) at Chennai may be pleased to pass such further or other orders as this Hon'ble tribunal may deem fit and proper in the facts and circumstances of this case and thus render justice."

25. On that date, this Tribunal had also considered the status report submitted by the 12th Respondent in O.A. No.52/2020 dated 24.08.2021, e-filed on 26.04.2021 and extracted in Para (5) of the order which reads as follows:-

"STATUS	REPORT	FILED	ON	BEHALF	OF	THE
RESPONDENT						

I, S. Stanley Babu, son of A. Sigamani, aged about 50 years, residing at Kaveri veedhi, Komarapalayam - 638183, do solemnly affirm and sincerely state as follows:

2. I am the Municipal Commissioner(i/c), Pallipalayam Municipality, having my office at 5, Sankagiri Bye-Pass Road, Pallipalayam, Namakkal District - 638006. I am acquainted with the facts of the case from records. As per order dated 08.07.2020 passed by this Hon'ble Tribunal, I am filing this status report on behalf of the 12th respondent.

3. I respectfully submit that previously the 12 th respondent had filed a status report before this Hon'ble Tribunal on 31.05.2021, the contents whereof be read as part and parcel of this status report and the same are not being repeated for the sake of brevity.

4. I respectfully submit that the existing legacy waste at Kottakadu dumping site, Pallipalayam, Komarapalayam Taluk, Namakkal District is in being processed. As on July, 2021, out of total quantity of 40306 cubic meter of legacy waste, around 34000 cubic meter of legacy waste has been processed which is 84% of the total volume. The remaining 6306 cubic meter of legacy waste shall be cleared by September, 2021.

5. I respectfully submit that a letter was sent to the Chief Engineer, Water Resources Department, Trichy Region, Trichy -20 for know about that current status of Detailed Project Report (DPR) for construction of Sewage Treatment Plant under Nadanthai Vaazhi Cauvery project. In reply Letter No.165M/A.E.2/F.38- NVC/2021/Date: 28.07.2021, the aforesaid Chief Engineer, Water Resources Department stated that " Nadanthai Vaazhi Cauvery Project report was submitted to the Ministry of Jalshakthi, Government of India, and the aforesaid Ministry had forwarded the same to the Director General, Environmental Protection Training & Research Institute, Hyderabad, Telangana for Technical Appraisal of the Nadanthai Vaazhi Cauvery project Phase-I STP Components under the Guidelines of National River Conservation Directorate. The Pallipalayam Municipality Sewage Treatment is also included in the Technical Appraisal of Environmental Protection Training & Research Institute, Hyderabad, Telangana".

It is, therefore, prayed that this Hon'ble Tribunal may be pleased to take on record the above submissions made and pass appropriate order/further orders as deemed fit and necessary in the circumstances of the case and thus render justice.

Dated at Namakkal on this 24 th day of August, 2021."

26. This Tribunal had also considered the action taken report submitted by the Erode City Municipal Corporation/11th Respondent in O.A. No.52/2020 dated Nil, e-filed on 23.08.2021 and extracted in Para (6) of the order which reads as follows:-

"Action Taken Report filed by the 11" Respondent Erode City Municipal Corporation
Erode City Municipal Corporation is having a population of 4.98 lakhs spread over an area of 109.52 sq.km consisting of 60 wards. There are 1.30 lakhs houses and 17000 commercial establishments. 33.75 MLD of sewage is generated from Erode City Municipal Corporation limit. The Corporation has installed a sewage treatment plant with a capacity of 50.55 MLD (MBBR Technology) at Peelamedu Village. Vendipalayam. At present, 15000 Households are connected to sewage treatment plant through UGDSS. 6.00 MLD of sewage generated from these 15000 households is conveyed to sewage Treatment Plant (STP). The treated sewage after meeting the standards is discharged into perumpallam odai which finally joins with River Cauvery. The UGSS for another 75000 Households will be completed before May 2022. The Sewage generated from 10000 Households is treated through septic tank. The septage Collected from this septic tank has been treated in STP so that no sullage will be mixed in River Cauvery in future.

The Solid Waste Management Activities are being carried out as per Solid Waste Management rules 2016 as below.

The generation of MSW is 165 MT/day out of which 75MT is bio degradable wet waste. 2MT is saleable dry waste, 70.50MT is non-saleable dry waste. 0.20 MT of e-waste and 0.30MT of domestic hazardous waste. 2MT of Construction and Demolition Waste and remaining 15MT are inerts.

Door to Door Collection & Segregation The Garbage generated is collected by using 89 Nos of Light Commercial vehicles and 90 Nos of Battery Operated vehicles. The hand driven pushcarts and tricycles are eradicated from garbage collection activities.

Erode City Municipal Corporation has deployed 603 permanent workers and 564 self help group workers for daily Solid Waste Management activities. In addition to above 12 dumper placers, 4 compactors, 4 tipper Lorries has been used for transportation of dry waste, Inert and Construction and Demolition waste in the city limit. All the waste are segregated at household level by people themselves and handed over to cleanliness workers of corporation which is transported to concerned processing centres.

Processing of Solid Waste Wet Waste The Processing of wet waste is being done through following methods. a. Micro Compost Centre:

24 Nos of micro compost centres were constructed under Smart City Mission with the capacity of 72 (TPD). Around 63 MT of wet waste is being processed in above Micro Compost Centres and converted in to Manure. Till date 2450 MT of manure has been generated from above Micro Compost Centre and given to farmers at free of cost. The Manure is tested in Tamilnadu Agricultural University, Coimbatore and found as good quality organic manure.

b. Bio methanation Plant:

Around 3MT of wet waste from vegetable market and hotels are being processed in bio methanation plant located at vendipalayam compost yard. The electrical energy produced by above plant is used for lighting the compost yard.

c. Bulk Waste Generators:

65 Nos of bulk waste generators are identified in the city limit. 6MT of wet waste from the bulk waste generators are being processed by themselves.

d. Home Composting:

3MT of wet waste generated in 6350 households are processed by themselves in their own agricultural lands and in their own places and backyards.

All the 75MT of Wet Waste is being processed scientifically without any dumping.

Processing of Dry waste:

1. Saleable dry waste:-

Paper, plastic and metals are sold to local vendors by Cleanliness workers themselves (Daily 6 MT is sold out). Around 720 MT of saleable waste is sold out for till date, the money generated through this is shared among Cleanliness workers.

Non saleable Dry Waste:

Awaiting Tamil Nadu Pollution Control Board approval for operating incinerators. At present Non Saleable dry waste has been sent to Cement Factory for processing and disposal.

2. E-waste:

E Waste is collected and stored in vendipalayam and vairapalayam Resource Recovery Centers. Necessary memorandum of understanding has been signed with TNPCB authorized vendor.

3. C&D waste:

A separate location at solar (TS number 11/1,2,3) with an extent of 10 Acre is earmarked for storage of C&D waste. The C&D wastes are used by producers themselves for filling in construction activities. Remaining waste is stored in Corporation site.

INERT & SILT The inert & Silt generated in the city limit is being transported and stored in Vendipalayam Compost yard separately and is being used for filling low lying areas. All efforts are being taken from Door to door collection, source segregation till processing and disposal of solid waste. Around 550 numbers of street bins were removed and most of the streets made bin less in residential areas. In Commercial areas and public places litter bins are placed and they are cleared on daily basis.

Bio Mining of existing legacy waste The existing legacy waste in the river bank of Cauvery at Vairapalayam is entirely cleared through bio mining technology. As of now no solid waste and legacy waste polluting the river Cauvery. The existing legacy waste in vendipalayam dumping yard is being processed. Around 4.4 lakh cubic meter of legacy waste is already processed and the remaining 1.60 lakh cubic meter of legacy waste will be cleared by December 2021.

Time frame for implementing Solid Waste Management Rules, 2016 S. Action Plan
Time Line No. 1 110% Door to Door Collection Achieved 2 100% source segregation Achieved 3 Implementation of Solid Waste Management Enforced Rules, 2016 4 Implementation of Plastic Waste Management Enforced Rules, 2016 5 100% Processing and Disposal of wet waste Achieved 6 100% Processing and Disposal of saleable dry Achieved waste 7 100% Processing and Disposal of C&D waste Achieved 8 100% Disposal of E-Waste Achieved 9 100% Processing and Disposal Non Saleable Awaiting Tamil dry waste Nadu Pollution Control Board approval for incinerators 10 Bio mining in Vairapalayam dumping yard Completed 11 Bio mining in Vendipalayam dumping yard It will be completed before 31.12.2021.

12 Bin free status in residential areas Achieved 13 Formation of SWM monitoring committee at Formed municipal corporation level 14 Communicating the Reduce Reuse Recycle Continuous process.

Concept to the community

27. After considering the above reports, this Tribunal had passed the following order:-

"7. The report of the Pollution Control Board shows that there is still discharge of sewage into the Cauvery River and that has been inferred from the presence of Total Coliform in abundance. Though the Pallipalayam Municipality as well as the Erode City Municipal Corporation have filed the progress reports, they have not mentioned anything about the temporary measures that they are going to take to avoid discharge of untreated sewage into the Cauvery River from the place which is not connected with Under Ground Sewage System so far.

8. When this was pointed out, the learned counsel appearing for both the local bodies submitted that they will come with a proper report in this regard.

9. The long-term measure will take long time, and till then the untreated sewage being let into the Cauvery River cannot be allowed, as the Cauvery is said to be a holy river as far as Tamil Nadu is concerned. Lot of people are depending on the Cauvery River not only for drinking water, but also for irrigation purpose as well. If polluted water is used for irrigation, then it will have an impact on the food chain and in turn, will affect the health of the people. So, the local bodies are having more responsibility of taking steps to avoid untreated sewage being let into the Cauvery River and see that the water in the Cauvery River become unpolluted and fit for both irrigation as well as drinking purpose.

10. They are directed to submit the reports to this Tribunal on or before

28.09.2021 by e-filing in the form of Searchable PDF/OCR Supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per Rules regarding the short-term measures as well as long-term measures taken by them for preventing discharge of untreated sewage being let into the Cauvery River.

11. In the meantime, the Tamil Nadu Pollution Control Board is also directed to undertake the exercise of collecting the water samples from the Cauvery River to ascertain as to whether any change in the water quality has occurred on account of the steps (if any) taken by the municipality to prevent the discharge of untreated sewage into the Cauvery River and also submit a report regarding the progress of the disposal of the legacy waste as well as implementation of the Solid Waste Management Rules, 2016 in the respective local bodies before the next hearing date.

12. The Registry is directed to communicate this order to the Tamil Nadu Pollution Control Board, District Collector, Erode as well as Namakkal, Erode City Municipal Corporation and Pallipalayam Municipality by e-mail immediately for their information and also for compliance of the direction."

28. The case was posted to 28.09.2021 for consideration of further progress reports. Again, the matter was taken up on 18.11.2021 and this Tribunal had considered the Joint Committee report dated Nil, e-filed on 27.09.2021 and extracted in Para (3) of the order which reads as follows:-

"Joint Committee's Report in respect of SUO MOTU O. A. No. 52 & 67 of 2020 in the Hon'ble NGT (SZ), Chennai It is submitted that the Hon'ble National Green Tribunal (SZ), Chennai has taken up a SUO MOTU O. A. No. 52/2020 based on the news published in Dinamalar daily on 28.02.2020 regarding Cauvery River Water Pollution. Subsequently, based on the news published in Dinamalar daily on 09.05.2020 regarding Cauvery River pollution, the Hon'ble NGT (SZ), Chennai has taken up another SUO MOTU O. A. No. 67/2020 and has constituted a high level committee and directed the committee to inspect and report vide its Order Dated:

03.03.2020 in O. A. No.: 52/2020 and passed subsequent Orders on 12.05.2020 and 15.05.2020, combining both the O. A. Nos. 52 & 67/2020.

Subsequently, Hon'ble NGT (SZ), Chennai vide its Order Dated: 27.08.2021 in O. A. No. 52 of 2020 (SZ) and O. A. No. 67 of 2020 (SZ) has directed the local bodies to submit the short term measures as well as long term measures taken by them for preventing the discharge of untreated sewage being let into the Cauvery River and also directed the Tamil Nadu Pollution Control Board to collect water samples from River Cauvery to ascertain whether any change in the water quality has occurred on account of steps taken by the municipality to prevent the discharge of untreated sewage into River Cauvery and also to submit a report regarding the progress of disposal of legacy waste as well as implementation of the Solid Waste Management Rules 2016 in the respective local bodies.

In this regard, the Joint Committee's report is submitted as below. Status of Processing of legacy waste in Erode, Erode District Erode City Municipal Corporation has engaged M/s Zigma Global Environ Solutions Pvt Ltd., for the processing of legacy waste dumped in Vairapalayam and Vendipalayam dump sites of Erode District for the speedy disposal of MSW legacy waste.

a. Vairapalayam Dump Site, Erode Earlier, the Erode City Municipal Corporation had dumped approximately 80,850 m of solid waste at Vairapalayam on the right bank of River Cauvery. Based on the directions, issued by the TNPCB on 13.01.2020, the Corporation has processed and removed the entire quantity of legacy waste dumped at Vairapalayam dump site.

b. Vendipalayam Dump Site, Erode The Erode City Municipal Corporation had dumped approximately 6,00,000 mo of solid waste at Vendipalayam, Erode During inspection of this legacy waste dumpsite, it was informed by the Erode City Municipal Corporation officials that approximately 4,60,000 m of legacy waste has been processed. The Erode Corporation authorities have informed that the remaining quantity of legacy waste will be processed before 31.12.2021.

Status of disposal of legacy waste from Kottakadu Dumpsite, Pallipalayam in Namakkal District a. Kottakadu Dump Site, Pallipalayam Municipality The bio-mining site of Pallipalayam Municipality located at Kottakadu dump site, Pallipalayam, Kumarapalayam Taluk, Namakkal District was inspected by the Officials of TNPCB, Kumarapalayam on 23.09.2021 and found that the Pallipalayam Municipality was carrying out bio mining process. The Pallipalayam Municipality has so far processed around 36,335 m of legacy waste from the total accumulated quantity of 40,306 m The Pallipalayam Municipality has informed that the entire legacy wastes accumulated at Kottakadu dump site, Pallipalayam will be processed and removed before 30.09.2021.

I. Details of Environmental Compensation imposed to Erode City Municipal Corporation a. Environmental Compensation imposed to Erode City Municipal Corporation:

In the mean time, The Chairman, TNPCB vide Proceedings No. T1/TNPCB/F.32363/SWMINGT 606 of 2018/2020-4, Dated: 27.11.2020 has levied Rs. 8 lakhs (Rupees Eight Lakhs only) as an interim Environmental Compensation for a period of 8 months (April 2020 November 2020) to the Erode Corporation for non-compliance of Solid Waste Management Rules 2016. The Chairman, TNPCB has also issued

directions to the Commissioner, Erode City Municipal Corporation to remit the interim Environmental Compensation of Rs.8 Lakhs (Rupees Eight Lakhs) for the non-compliance of the direction issued by the Principal Bench of the Hon'ble National Green Tribunal in O. A. No 606 of 2018 and further emphasized that the Corporation is liable to remit the Environmental Compensation till the compliance of the following directions:

1. The Corporation shall comply with the provisions of Solid Waste Management Rules, 2016 and shall comply with the orders passed by the Hon'ble NGT in OA 606 of 2018 from time to time.
2. The Corporation shall provide 100% segregation of waste (covering all wards).
3. The Corporation shall provide required capacity of waste processing facilities for the treatment of biodegradable waste and non-biodegradable wastes.
4. The Corporation is liable to pay Environmental Compensation till the compliance of conditions stipulated in 1 to

3.

Subsequently, the Hon'ble National Green Tribunal (SZ), Chennai in its Order Dated: 08.07.2021 in O. A. No. 52 & 67 of 2020 has reiterated the Pollution Control Board to file further progress report, action taken report and the steps taken by the Board for recovery of compensation already imposed for the Erode City Municipal Corporation.

In this regard, a letter has been addressed to the Commissioner, Erode City Municipal Corporation, Erode vide TO. Lr. Dated: 13.07.2021 to remit the Interim Environmental Compensation of Rs. 8 lakhs (Rupees Eight Lakhs only) at the earliest so as to submit the action taken report regarding the recovery of Environmental Compensation to Hon'ble National Green Tribunal (SZ), Chennai before the next hearing dated: 27.08.2021.

Besides, a letter was addressed to the TNPC Board, Chennai with a request to send a letter to the Commissioner of Municipal Administration, Chennai to instruct the Commissioner, Erode City Municipal Corporation to remit the interim Environmental Compensation of Rs. 8 lakhs (Rupees Eight Lakhs only) at the earliest vide T.O Lr. No. DEE/TNPCB/ERD/F.NGT O.A.No.52 & 67 of 2020/2021 Dated: 14.07.2021.

Meanwhile the Commissioner, Erode City Municipal Corporation has requested the Chairman, TNPCB, Chennai to reconsider the Environmental Compensation imposed to the Erode City Municipal Corporation as the biomining of legacy waste will be completed by December 2021 vide letter dated: 19.07.2021.

In this connection, the Chairman, TNPCB, Chennai has instructed the Commissioner, Erode City Municipal Corporation to address the Hon'ble NGT (Principal Bench), New Delhi along with the compliance of the directions issued by the TNPCB and to comply with the Directions issued by the Board under Section 5 of Environment (Protection) Act, 1986 as amended vide Lr. No. T1/TNPCB/LAW/LA-III/NGT/F.06801/SWM/2020/2021 dated: 26.08.2021.

b. Directions issued to Pallipalayam Municipality, Namakkal District Directions under the Section 5 of Environment (Protection) Act, 1986 has been issued by the TNPC Board to the Commissioner, Pallipalayam Municipality to comply with the following conditions vide Board's Proceedings No. T1/TNPCB/SWM/NGT/F.06801/KMP/2021, Dated 09.02.2021.

1. The Municipality shall comply with the provisions of Solid Waste Management Rules, 2016 and shall comply with orders passed by the Hon'ble NGT (PB) in OA 606 of 2018 from time to time 2. The Municipality shall comply with the orders passed by the Hon'ble NGT (SZ) in O.A. No. 52/2020 & O.A. No. 67/2020. 3. The Municipality shall expedite the bio-mining of the legacy waste dump site and complete the same within the stipulated time as per the orders of the Hon'ble NGT. 4. The Municipality is liable to pay Environmental Compensation if there is any non-compliance of conditions stipulated in 1 to 3.

Subsequently, the Hon'ble National Green Tribunal (SZ), Chennai in its Order Dated: 08.07.2021 in O. A. No. 52 & 67 of 2020 has issued the following directions among other things inter alia as follows.

"The report of the Tamil Nadu Pollution Control Board shows that they have already imposed environmental compensation of Rs.8 Lakhs on Erode City Municipal Corporation and also issued certain directions to the Pallipalayam Municipality and they are closely monitoring the dump yards and also the progress of the work. They have not mentioned as to why they have not imposed any environmental compensation on Pallipalayam Municipality, as they also did not strictly comply with the directions issued by the Principal Bench of National Green Tribunal in o.A. No. 606 of 2018"

In this regard, it is recommended to Tamil Nadu Pollution Control Board to impose the interim Environmental Compensation of Rs. 4 Lakhs to the Commissioner, Pallipalayam Municipality calculated as per the directions issued by the Principal Bench of National Green Tribunal in O.A. No. 52 & 67 of 2020 vide T.O. Letter No. F.No.99/DEE/TNPCB/KMP/SWM/2021, Dated: 26.07.2021 & 17.08.2021.

The Pallipalayam municipality has not completed the implementation of bio- remediation or capping of old and abandoned dump sites till date and thereby not complying with the provisions of Solid Waste Management Rules, 2016. In view of the above, the Board has issued notice as to why an interim environmental compensation of Rs. 5 Lakhs for the period from April 2021 to August-2021 (5 months) may not be levied to Pallipalayam Municipality under section 5 of the Environment (Protection) Act, 1986 vide proc. Dated 26.08.2021 Also, Tamil Nadu Pollution Control Board has issued Directions under section 33A of Water (Prevention and Control of Pollution) act 1974 as Amended dated. 26.08.2021 to comply the following:

1. The Pallipalayam Municipality shall provide full-fledged underground Sewerage Scheme Treatment Plant within period of three months to treat the sewage generated from the municipality 2. The local body shall immediately stop the discharge of the

untreated/sullage effluent generated from the Municipality into the River Cauvery. 3. The Local body is liable to pay Environmental Compensation as per Honb'le National Green Tribunal (NGT), Principal Bench order dt. 02.07.2020 in O.A. No. 606 of 2018 for non-compliance of the above directions.

The Honb'le National Green Tribunal (NGT), principal bench in O.A. No. 606 of 2018 passed order dt. 02.07.2020 inter alia that:

"The Compensation regime already laid down for failure of the local bodies and/or Department of Irrigation and Public Health/in charge Department to take action for treatment of sewage in terms of observations in PARA 36 above will result in liability to pay compensation as already noted above which are reproduced for ready reference. ii) Commencement of setting up of STPs -31.03.2020. Compensation is payable for failure to do so the rate of Rs. 5 Lakhs per month per STP by concerned Local Bodies/States (in terms of orders dated. 28.08.2019 in O.A. No. 593/2017 and 06.12.2019 in O.A. No. 673/2018 w.e.f. 01.04.2020.

Hence the Local body is liable to pay Environmental compensation as per the above said Honb'le National Green Tribunal (NGT), for non-commencement of setting up of STPs before 31.03.2020., ie., for the period from 01.04.2020 to August 2021.

It is submitted that TNPCB will closely monitor the progress in the processing and disposal of balance legacy waste dumped at Vendipalayam Dump site, Erode District and Kottakadu Dump site at Pallipalayam Municipality, Namakkal District.

The Erode Legacy waste dump site was inspected by the District Collector, Erode on 28.06.2021 & 02.07.2021 and the District Collector, Erode instructed the Corporation officials to expedite the biomining process.

The Pallipalayam Municipal Legacy waste dump site was inspected by the District Collector, Namakkal on 24.08.2021 and the District Collector, Namakkal instructed the Commissioner, Pallipalayam Municipality to expedite the biomining process.

II. (a). Cauvery River Water Quality:

As per the directions of the Hon'ble NGT (SZ), Chennai, raw water samples were collected directly from River Cauvery on 14.09.2021 from six locations such as Kumarapalayam Upstream, Kumarapalayam Downstream, Seerampalayam, Avathipalayam, Pallipalayam, Pallipalayam Downstream. Also, raw water samples were collected directly from River Cauvery on 16.09.2021 from four locations such as near Bhavani bridge, B.P Agraharam barrage, Vairapalayam and Vendipalayam barrage. The consolidated report of analysis of the samples collected on 14.09.2021 & 16.09.2021 from the Cauvery River reveals that the parameters such as pH, Conductivity, Bio chemical Oxygen Demand, Nitrates, Nitrite, Ammonia are within

the standards prescribed (Copy of ROA enclosed vide Annexure-1). The levels of the above mentioned water quality parameters are also found to be improved when compared with the range values of water quality parameters analyzed from January 2020 to July 2021. However the presence of total coliform indicates the discharge of sewage into River Cauvery. As per the ROA dated: 22.09.2021, the value of total coliform in MPN/100 ml in the above said locations are 4.0,3.6,3.7 & 4.0 respectively and is less than the total coliform present in the samples collected from River Cauvery from January 2020 to July 2021. This indicates that the discharge of sewage into River has reduced. The raw water pumped and drawn from the river is treated in water treatment plants and chlorinated by the concerned local bodies at raw water intake points and supplied to the public.

(i) Continuous water quality monitoring stations to monitor the water quality of River Cauvery is functioning at Kumarapalayam in Namakkal District on the upstream side of Pallipalayam Municipality & in Parisalthurai in Erode District on the downstream side of Erode City Municipal Corporation, (ii) The Vairapalayam, Erode MSW legacy waste dump site is located on the right bank of River Cauvery in Erode City Municipal Corporation limit. As the entire quantity of legacy waste dumped in this site has been processed and removed, there is no possibility of mixing of leachate generated from the site with Cauvery River water. There is no possibility of washing away of MSW during the flood. Hence the river water will not get polluted from this dump site. (iii) The regular collection of MSW from all the wards of Erode City Municipal Corporation and Pallipalayam Municipality and processing of the waste in the 25 Nos. of micro composting centres and elimination of dumping of fresh MSW on the River banks has considerably improved the river water quality in Erode. (iv) The Erode city Municipal Corporation has provided sewage treatment plant of capacity 50.5 MLD at Peelamedu Village, Vendipalayam. The Corporation has covered 36 wards with UGDSS. The UGDSS works in the remaining 24 wards is in progress, the Corporation has assured to complete UGDSS works in remaining wards before 31.05.2022. The Corporation has proposed to collect the sewage through tanker lorries from the UGDSS uncovered area and to treat the same through the sewage treatment plant as a short term measures. (v) The District Co-ordination Committee functioning under the Chairmanship of the respective District Collectors of Erode and Namakkal Districts & TNPCB are taking action against the violating industries discharging untreated effluent in river Cauvery and other water bodies. (vi) The TNPCB and District Co-ordination Committee, Erode & Namakkal Districts have collected Environmental Compensation of Rs.

2,25,65,335/- (Erode District) and Rs. 31,03,750/- (Namakkal District) from the violating industries since July 2019, (vii) Formation of 5 Nos. of CETPs in Erode, 3 Nos. of CETPs in Bhavani & 2 Nos. of CETPs in Kumarapalayam for the treatment of waste water generated from textile processing units functioning in Erode District & Namakkal District & having individual effluent treatment plant with Zero liquid discharge system has been initiated by the TNPCB and Consent to Establish orders have been issued to the 8 Nos. of CETPs in Erode District The details of the proposed textile CETPs are as

submitted as below.

The proposed CETPs will be formed by availing 50% of funds as subsidy from Government of India, 25% from Government of Tamil Nadu and 25% as industries contribution. Due to the compliance of various directions of Hon'ble NGT (SZ) Chennai in O A Nos. 52 8 67 of 2020 and the commitment to process the legacy waste dumped on both banks of the River in Erode Corporation & Pallipalayam Municipality, expediting to comply with the directions of Hon'ble NGT Principal Bench), New Delhi in OA No 606 of 2018, strict action taken by the District Co ordination Committees of both Erode & Namakkal Districts against the violating industries, continuous monitoring of the River water quality by TNPCB and Co-ordinated efforts taken by various Government departments has considerably improved the River water quality."

29. This Tribunal had also considered the action taken report submitted by the Erode City Municipal Corporation/11th Respondent in O.A. No.52/2020 dated Nil, e-filed on 27.09.2021 and extracted in Para (4) of the order which reads as follows:-

30. Thereafter, this Tribunal had passed the following order:-

"5. It is seen from the report of 11th respondent in O.A. No. 52 of 2020 that they are awaiting authorisation from Pollution Control Board for installation of incinerators and bio-mining in Variyapalayam dump yard will be completed by

31.12.2021.

6. Learned Counsel appearing for the Pallipalayam Municipality submitted that they have submitted their report today morning but we have not received the same. The office is directed to verify the same and if it is in order, then place before the tribunal on the next hearing date for consideration.

7. The report of the Joint Committee shows that due to some work done by the local bodies and Municipalities, there is some improvement in the water quality. Completions of underground sewage system in some wards are still pending and according to the report of the Joint Committee that will be completed by 31st May, 2022. It is a longer date and as these things are pending for long time it should be ensured that it is completed by 31.05.2020 without fail. They are also directed to file their proper report regarding the temporary measures taken till the underground sewage system is completed and the entire houses in the wards are connected to the same.

8. They are directed to submit the respective reports to this Tribunal on or before 17.12.2021 by e-filing in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF along with necessary hard copies to be produced as per rules.

9. The Registry is directed to communicate this order to the Chief Secretary, Tamil Nadu Pollution Control Board, District Collector, Erode as well as Namakkal, Erode City Municipal Corporation and Pallipalayam Municipality by email immediately for their information and also for compliance of the direction."

31. Thereafter, the case was posted to 17.12.2021 for consideration of further reports. On 17.12.2021, this Tribunal had considered the action taken report submitted by the 12th Respondent in O.A. No.52/2020 viz., Pallipalayam Municipality dated 27.10.2021, e-filed on 18.11.2021 and extracted in Para (3) of the order which reads as follows:-

"ACTION TAKEN REPORT FILED ON BEHALF OF THE 12th RESPONDENT

1. I, M. Ravichandran, son of M. Mani, aged about 59 years, residing at Bharathi Estate, B.Kumarapalayam - 638183, do solemnly affirm and sincerely state as follows:

2. I am the Municipal Commissioner, Pallipalayam Municipality, having my office at 5, Sankagiri Bye-Pass Road, Pallipalayam, Erode District -

637210. I am acquainted with the facts of the case from records, I am filing the present status report on behalf of the 12th respondent.

3. It is submitted that Pallipalayam Municipality is having a population of 40140 spread over an area of 4.70 sq.km consisting of 21 wards. There are 13709 houses and 796 commercial establishment. Further, it is submitted that 4.34 MLD of sewage is generated from Pallipalayam Municipal limit. A Detailed Project Report (DPR) is prepared under Nadanthai Vaali Cauvery Scheme by PWD irrigation department for treated 4.34 MLD OF sewage. At present, the aforesaid Detailed Project Report (DPR) is pending for approval before the Government. On approval of the said Detailed Project Report (DPR), the sewage generated from 12471 Households and septage will be collected through sullage tanker lorries, and the collected septage will be delivered to treatment plant (STP) of Erode Corporation. Therefore, no sullage will be mixed in River Cauvery in future.

4. I respectfully submit that a letter was sent to the Chief Engineer, Water Resources Department, Trichy Region, Trichy -20 for know about that current status of Detailed Project Report (DPR) for construction of Sewage Treatment Plant under Nadanthai Vaazhi Cauvery project. In reply Letter No.165M/A.E.2/F.38-NVC/2021/Date:28.07.2021, the aforesaid Chief Engineer, Water Resources Department stated that " Nadanthai Vaazhi Cauvery Project report was submitted to the Ministry of Jalshakthi, Government of India, and the aforesaid Ministry had forwarded the same to the Director General, Environmental Protection Training & Research Institute, Hyderabad, Telangana for Technical Appraisal of the Nadanthai Vaazhi Cauvery project Phase-I STP Components under the Guidelines of National River Conservation Directorate. The Pallipalayam Municipality Sewage Treatment is also included in the Technical Appraisal of Environmental Protection Training & Research Institute, Hyderabad, Telangana".

5. It is submitted that the generation of MSW is 12 MT/day out which 7MT is bio degradable wet waste, 0.50MT is saleable dry waste, 3.37 MT □\$ non saleable dry waste, 0.001 MT of e-waste and 0.029 MT of domestic hazardous waste, 0.10 MT of Construction and Demolition waste and remaining 1.00Mt are inerts.

6. It is submitted that the Solid Waste Management Activities are being carried out as per Solid Waste Management rules, 2016 as stated below;

A. DOOR TO DOOR COLLECTION & SEGREGATION

(i) The garbage generated is collected by using two (2) Light Commercial vehicles and twenty (20) Battery Operated vehicles. Further, the hand driven pushcarts and tricycles are eradicated from garbage collection activities.

(ii) Pallipalayam Municipality has deployed twenty four (24) permanent workers and ninety (90) outsourcing workers for daily Solid Waste Management activities. In addition to above, two (2) tipper Lorries have been used for transportation of dry waste, inert and construction and demolition waste in the town limit. All the waste are segregated at household level by people themselves, and handed over to cleanliness workers of municipality which is transported to concerned processing centre.

B. PROCESSING OF SOLID WASRTE

1. Wet waste The processing of wet waste is being done through following methods:

(i) Micro Compost Centre Under Swachh Bharath Mission Scheme, a micro compost centre was constructed at Avarankadu Village, Pallipalayam Municipality, Komarapalayam Taluk, Namakkal District with a capacity of 2 (TPD). Around

2 MT of wet waste is being processed in the aforesaid micro compost centre and converted into manure. Till date 441 MT of manure has been generated from the said micro compost centre and given to farmers at free of cost. The manure is tested in Green Link Analytical and Research Laboratory, Coimbatore and found as good quality organic manure.

(ii) Bio Methanation Plant Around 4.50 MT of wet waste from vegetable market and hotels are being processed in bio methanation plant located at Kottakadu compost yard, Pallipalayam, Komarapalayam Taluk, Namakkal District. The electrical energy produced by the aforesaid plant is used for lighting the compost yard.

(iii) Bulk Waste Generators Six (6) bulk waste generators are identified in the Municipal limit. 0.53 MT of wet waste from the bulk waste generators are being processed by themselves,

(iv) Bulk Waste Generators 0.25 MT of wet waste generated in 118 hosueholds are processed by themselves in their own agricultural lands and in their own places and backyards. All the 7 MT of wet waste is being processed without any dumping.

C. PROCESSING OF DRY WASTE

(i) Saleable dry waste Paper, plastic and metals are sold to local vendors by cleanliness workers themselves (daily 0.051 MT is sold out). Around 8.50 MT of saleable waste is sold out of Rs. 3.47 lakhs till date, which is shared among cleanliness workers.

(ii) Non Saleable Dry Waste At present, non saleable dry waste has been sent to a factory owned by M/s. Ultra Tech Cement Pvt. Ltd., at Ariyalur for processing and disposal.

(iii) E waste E waste is collected and stored in a Resource Recovery Centre located at Avathipalayam, Kottakadu, Komarapalayam Taluk, Namakkal District. At present, E-waste is sent to M/s. Leela Traders, Chennai for processing and disposal.

(iv) C & D waste A separate location at Janatha Nagar, Pallipalayam District with an extent of 0.5 acre is earmarked for storage of C & D waste. The C & D wastes are used by producers themselves for filling in construction activities.

D. Inert & Silt The inert & silt generated in the Municipal limit is being transported and used for filling low lying areas.

All efforts are being taken from Door to door collection, source segregation till processing and disposal of solid waste. Around twenty eight (28) street bins were removed and most of the streets made bin less in residential areas. In commercial areas and public places litter bins are placed and they are cleared on daily basis.

E. Bio Mining of existing legacy waste The existing legacy waste at Kottakadu dumping site; Pallipalayam, Komarapalayam Taluk, Namakkal District is in being processed. Out of total quantity of 40306 cubic meter of legacy waste, around 38587 cubic meter of legacy waste is processed as on 28.10.2021 which is 95,73 of the total volume. The remaining 1719 cubic meter of legacy waste will be cleared by 15th of December, 2021.

It is, therefore, prayed that this Hon'ble Tribunal may be pleased to take on record the above submissions made and pass appropriate order/further orders as deemed fit and necessary in the circumstances of the case and thus render justice, Dated at Pallipalayam on 27th day of October, 2021."

32. It is mentioned in the above report that bio-mining of the existing legacy waste will be completed by 15.12.2021.

33. On that date, this Tribunal had also considered the report submitted by the Erode City Municipal Corporation dated Nil, handed over the hardcopy before this Tribunal, since there was some technical difficulty in e-filing and extracted in Para (5) of the order which reads as follows:-

"Action Taken Report filed by the 11th Respondent Erode City Municipal Corporation
Erode City Municipal Corporation is having a population of 4.98 lakhs spread over an area of 109.52 sq.km consisting of 60 wards. There are 1.30 lakhs houses and 17000

commercial establishments. 33.75 MLD of sewage is generated from Erode City Municipal Corporation limit. The Corporation has installed a sewage treatment plant with a capacity of 50.55 MLD (MBBR Technology) at Peelamedu Village, Vendipalayam. At present, 15000 Households are connected to sewage treatment plant through UGDSS. 6.00 MLD of sewage generated from these 15000 households is conveyed to sewage Treatment Plant (STP). The treated sewage after meeting the standards is discharged into perumpallam odai which finally joins with River Cauvery. The UGSS for another 75000 Households will be completed before May 2022. The Sewage generated from 10000 Households is treated through septic tank. The septage collected from this septic tank has been treated in STP so that no sullage will be mixed in River Cauvery in future.

The Solid Waste Management Activities are being carried out as per Solid Waste Management rules 2016 as below.

The generation of MSW is 165 MT/day out of which 75MT is bio degradable wet waste, 2MT is saleable dry waste, 70.50MT is non-saleable dry waste, 0.20 MT of e-waste and 0.30MT of domestic hazardous waste, 2MT of Construction and Demolition Waste and remaining 15MT are inerts.

Door to Door Collection & Segregation The Garbage generated is collected by using 89 Nos of Light Commercial vehicles and 90 Nos of Battery Operated vehicles. The hand driven pushcarts and tricycles are eradicated from garbage collection activities.

Erode City Municipal Corporation has deployed 603 permanent workers and 564 self help group workers for daily Solid Waste Management activities. In addition to above 12 dumper placers, 4 compactors, 4 tipper Lorries has been used for transportation of dry waste, Inert and Construction and Demolition waste in the city limit. All the waste are segregated at household level by people themselves and handed over to cleanliness workers of corporation which is transported to concerned processing centres.

Processing of Solid Waste Wet Waste The Processing of wet waste is being done through following methods. a. Micro Compost Centre:

24 Nos of micro compost centres were constructed under Smart City Mission with the capacity of 72 (TPD). Around 63 MT of wet waste is being processed in above Micro Compost Centres and converted into Manure. Till date 2750 MT of manure has been generated from above Micro Compost Centre and given to farmers at free of cost. The Manure is tested in Tamil Nadu Agricultural University, Coimbatore and found as good quality organic manure.

b. Bio methanation Plant:

Around 3MT of wet waste from vegetable market and hotels are being processed in bio methanation plant located at vendipalayam compost yard. The electrical energy produced by above plant is used for lighting the compost yard.

c. Bulk Waste Generators:

65 Nos of bulk waste generators are identified in the city limit. 6MT of wet waste from the bulk waste generators are being processed by themselves.

d. Home Composting:

3MT of wet waste generated in 6350 households are processed by themselves in their own agricultural lands and in their own places and backyards.

All the 75MT of Wet Waste is being processed scientifically without any dumping
Processing of Dry Waste:

1. Saleable dry waste:

Paper, plastic and metals are sold to local vendors by Cleanliness workers themselves (Daily 6 MT is sold out). Around 840 MT of saleable waste is sold out for till date, the money generated through this is shared among Cleanliness workers.

Non saleable Dry Waste:

Awaiting Tamil Nadu Pollution Control Board approval for operating incinerators. At present Non Saleable dry waste has been sent to Cement Factory for processing and disposal.

2. E waste:

E Waste is collected and stored in vendipalayam and vairapalayam Resource Recovery Centers. Necessary memorandum of understanding has been signed with TNPCB authorized vendor,

3. C&D waste:

A separate location at solar (TS number 11/1,2,3) with an extent of 10 Acre is earmarked for storage of C&D waste. The C&D wastes are used by producers themselves for filling in construction activities. Remaining waste is stored in Corporation site.

INERT & SILT The inert & Silt generated in the city limit is being transported and stored in Vendipalayam Compost yard separately and is being used for filling low

lying areas.

All efforts are being taken from Door to door collection, source segregation till processing and disposal of solid waste. Around 550 numbers of street bins were removed and most of the streets made bin less in residential areas. In Commercial areas and public places litter bins are placed and they are cleared on daily basis.

Bio Mining of existing legacy waste The existing legacy waste in the river bank of Cauvery at Vairapalayam is entirely cleared through bio mining technology. As of now no solid waste and legacy waste polluting the river Cauvery. The existing legacy waste in vendipalayam dumping yard is being processed. Around 5.1 lakh cubic meter of legacy waste is already processed and the remaining 0.90 lakh cubic meter of legacy waste will be cleared by December 2021.

TIME	FRAME	FOR	IMPLEMENTING	SOLID	WASTE
MANAGEMENT RULE - 2016					

34. After considering the above reports, this Tribunal had passed the following order:-

"6. It is seen from the report that as regards the Under Ground Sewerage System (UGSS) is concerned, they have not mentioned anything about the progress in implementation of the same and they have also not mentioned as to whether any sewage/sullage water is being discharged into the river Cauvery.

7. As regards bio-mining of the existing legacy waste in Vendipalayam dump yard is concerned, around 5.1 Lakh Cu.M. has already been processed and the remaining waste of 0.90 Lakh Cu.M. will be cleared by December 2021. They have not mentioned as to whether any approval has been obtained for installation of incinerator from the Tamil Nadu Pollution Control Board for disposal of the non-saleable dry waste.

8. The learned counsel appearing for the 12th Respondent/Pallipalayam Municipality submitted that they have completed the bio-mining. They are directed to file the report regarding the same before the next hearing date.

9. The Tamil Nadu Pollution Control Board is directed to inspect the area in question and submit a further progress report and action taken report, if any required in respect of implementation of the Solid Waste Management Rules, 2016 in that area by the Erode City Municipal Corporation and the Pallipalayam Municipality. They are also directed to ascertain the water quality of the water body in that area to ascertain

as to whether any improvement has happened on account of the work that has been undertaken by them.

10. Further, the Tamil Nadu Pollution Control Board is also directed to verify the action taken by the Erode City Municipal Corporation as well as the Pallipalayam Municipality and submit a report regarding the satisfaction of the work being done regarding discharge of sewage, functioning of STPs and status of the legacy waste etc.

11. The Erode City Municipal Corporation as well as the Pallipalayam Municipality and the Tamil Nadu Pollution Control Board are directed to file their respective further progress as well as action taken reports to this Tribunal on or before 28.01.2022 by e-filing in the form of Searchable PDF/OCR Supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per Rules.

12. The Registry is directed to communicate this order to the official respondents, Tamil Nadu Pollution Control Board, District Collector, Erode City Municipal Corporation and also to the Pallipalayam Municipality by e-mail for their information and compliance of the direction."

35. Thereafter, the case was posted to today for consideration of further progress report as well as action taken report.

36. The 11th Respondent/Erode City Municipal Corporation has filed a separate reports in O.A. No.52/2020 (SZ) and O.A. No.67/2020 (SZ) reiterating the same thing and as such we are only reproducing the report submitted in O.A. No.52/2020 (SZ) for consideration, e-filed on 28.01.2022 which reads as follows:-

"Further Progress Report filed by the 11th Respondent Erode City Municipal Corporation Erode City Municipal Corporation is having a population of 4.98 lakhs spread over an area of 109.52 sq.km consisting of 60 wards. There are 1.30 lakhs houses and 17000 commercial establishments. 33.75 MLD of sewage is generated from Erode City Municipal Corporation limit. The Corporation has installed a sewage treatment plant with a capacity of 50.55 MLD (MBBR Technology) at peelamedu Village, Vendipalayam. At present, 17000 Households are connected to sewage treatment plant through UGDSS. 8.00 MLD of sewage generated from these 17000 households is conveyed to sewage Treatment Plant (STP). The treated sewage after meeting the standards is discharged into perumpallam odai which finally joins with River Cauvery. The UGSS for another 73000 Households will be completed before May 2022. The Sewage generated from 10000 Households is treated through septic tank. The septage Collected from this septic tank has been treated in STP so that no sullage will be mixed in River Cauvery.

The Solid Waste Management Activities are being carried out as per Solid Waste Management rules 2016 as below.

The generation of MSW is 165 MT/day out of which 75MT is bio degradable wet waste, 2MT is saleable dry waste, 70.50MT is non-saleable dry waste, 0.20 MT of e-waste and 0.30MT of domestic hazardous waste, 2MT of Construction and Demolition Waste and remaining 15MT are inerts.

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Erode City Municipal Corporation has deployed 603 permanent workers and 564 self help group workers for daily Solid Waste Management activities. In addition to above 12 dumper placers, 4 compactors, 4 tipper Lorries has been used for transportation of dry waste, Inert and Construction and Demolition waste in the city limit. All the waste are segregated at household level by people themselves and handed over to cleanliness workers of corporation which is transported to concerned processing centres.

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24 Nos of micro compost centres were constructed under Smart City Mission with the capacity of 72 (TPD). Around 63 MT of wet waste is being processed in above Micro Compost Centres and converted in to Manure. Till date 2750 MT of manure has been generated from above Micro Compost Centre and given to farmers at free of cost. The Manure is tested in Tamil Nadu Agricultural University, Coimbatore and found as good quality organic manure.

b. Bio methanation Plant:

Around 3MT of wet waste from vegetable market and hotels are being processed in bio methanation plant located at vendipalayam compost yard. The electrical energy produced by above plant is used for lighting the compost yard.

c. Bulk Waste Generators:

65 Nos of bulk waste generators are identified in the city limit. 6MT of wet waste from the bulk waste generators are being processed by themselves.

d. Home Composting:

3MT of wet waste generated in 6350 households are processed by themselves in their own agricultural lands and in their own places and backyards.

All the 75MT of Wet Waste is being processed scientifically without any dumping.

Processing of Dry Waste: -

1. Saleable dry waste:

Paper, plastic and metals are sold to local vendors by Cleanliness workers themselves (Daily 6 MT is sold out). Around 840 MT of saleable waste is sold out for till date, the money generated through this is shared among Cleanliness workers.

Non saleable Dry Waste:

Awaiting Tamil Nadu Pollution Control Board approval for operating incinerators. At present Non Saleable dry waste has been sent to Cement Factory for processing and disposal.

2. E waste:

E Waste is collected and stored in vendipalayam and vairapalayam Resource Recovery Centers. Necessary memorandum of understanding has been signed with TNPCB authorized vendor.

3. C&D waste:

A separate location at solar (TS number 11/1,2,3) with an extent of 10 Acre is earmarked for storage of C&D waste. The C&D wastes are used by producers themselves for filling in construction activities. Remaining waste is stored in Corporation site.

INERT & SILT The inert & Silt generated in the city limit is being transported and stored in Vendipalayain Compost yard separately and is being used for filling low lying areas.

All efforts are being taken from Door to door collection, source segregation till processing and disposal of solid waste. Around 550 numbers of street bins were removed and most of the streets made bin less in residential areas. In Commercial areas and public places litter bins are placed and they are cleared on daily basis.

Bio Mining of existing legacy waste The existing legacy waste in the river bank of Cauvery at Vairapalayam is entirely cleared through bio mining technology. As of now no solid waste and legacy waste polluting the river Cauvery. The existing legacy

waste in vendipalayam dumping yard is being processed. Around 5.2 lakh cubic meter of legacy waste is already processed and the remaining 0.80 lakh cubic meter of legacy waste will be cleared by February 2022.

37. The 12th Respondent in O.A. No.52/2020 viz., Pallipalayam Municipality also filed action taken report dated 31.01.2022, e-filed and received today (i.e.31.01.2022) which reads as follows:-

"ACTION TAKEN REPORT FILED ON BEHALF OF THE 12th RESPONDENT I, S.Gopinath, son of C.Selvam, aged about 38 years, residing at No.3346, T.N.H.B,Avadi, Chennai - 600 054., do solemnly affirm and sincerely state as follows:

BIO MINING OF EXISTING LEGACY WASTE The existing legacy waste at Kottakadu dumping site, Pallipalayam, Komarapalayam Taluk, Namakkal District is processed. A total quantity of 40306 cubic meter of legacy waste was processed as on 28.12.2021 which is 100% of the total volume. Hence the legacy waste disposed process is completed and contractor completion certificate is enclosed herewith.

	TIME	FRAME	FOR	IMPLEMENTING	SOLID
	MANAGEMENT RULES 2016				
S.No.	ACTION PLAN				
1.	100% Door to Door collection				
2.	100% Source Segregation				
3.	Implementation of Solid Waste Management Rules, 2016				
4.	Implementation of Plastic Waste Management Rules, 2016				
5.	100% Processing and Disposal of wet waste				
6.	100% Processing and Disposal of saleable dry waste				
7.	100% Processing and Disposal of C&D waste				
8.	100% Disposal of E-waste				
9.	100% Processing and Disposal Non-Saleable dry waste				
10.	Bio-mining in Kottakadu dumping yard				
11.	Bin free status in residential areas				
12.	Formation of SWM monitoring committee at Municipality Corporation Level				
13.	Communicating the Reduce Reuse Recycle Concept to the community				

It is, therefore, prayed that this Hon'ble Tribunal may be pleased to take on record the above submissions made and pass appropriate order/further orders as deemed fit and necessary in the circumstances of the case and thus render justice.

Dated at Pallipalayam on 31st day of January, 2022"

38. The Tamil Nadu Pollution Control Board has filed the common report in both these cases signed by the officer on 29.01.2022, e-filed on the same date and received today (i.e. 31.01.2022) which reads as follows:-

"REPORT FILED ON BEHALF OF THE RESPONDENT -

TAMILNADU POLLUTION CONTROL BOARD.

I, R. Rajamanickam, S/o. P.M.Ramasamy, Hindu, aged about 57 years, having my office at No.76, Mount Salai, Guindy, Chennai-32, do hereby solemnly affirm and sincerely state as follows:

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-32, and I am filing this Report on behalf of the Respondent, Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the case as per the records.

2. It is respectfully submitted that the Hon'ble National Green Tribunal (Southern Zone) in its order dated 17.12.2021 stated inter alia that:

"Para 9. The Tamil Nadu Pollution Control Board is directed to inspect the area in question and submit a further progress report and action taken report, if any required in respect of implementation of the Solid Waste Management Rules, 2016 in that area by the Erode City Municipal Corporation and the Pallipalayam Municipality. They are also directed to ascertain the water quality of the water body in that area to ascertain as to whether any improvement has happened on account of the work that has been undertaken by them.

Para 10. Further, the Tamil Nadu Pollution Control Board is also directed to verify the action taken by the Erode City Municipal Corporation as well as the Pallipalayam Municipality and submit a report regarding the satisfaction of the work being done regarding discharge of sewage, functioning of STPs and status of the legacy waste etc.."

3. It is respectfully submitted that in due compliance to the Hon'ble National Green Tribunal (Southern Zone) in its order dated 17.12.2021, the said area in question was inspected by the officials of the TNPCB on 26.01.2022 and the following were observed:

i. The Erode City Municipal Corporation has processed and removed the entire quantity(80,850 m%) of legacy waste dumped at Vairapalayam dumpsite.

ii. The Erode City Municipal Corporation officials informed that approximately 5,20,000 m3 of legacy waste has been processed and the remaining quantity (80,000 m) of legacy waste will be processed before February, 2022 at Vandipalayam

dumpsite, Erode.

iii. The Pallipalayam Municipality has been removed entire quantity (40,306 m) of the legacy waste dumped at kottakadu dump site.

4. It is respectfully submitted that the Erode City Municipal Corporation is involved in regular collection of solid waste in all the wards and processing the compostable solid waste in 24 Nos. of micro composting centres and the dumping of fresh solid waste on the dump yard at Vendipalayam is eliminated.

5. It is respectfully submitted that the Erode City Municipal Corporation has obtained consent for establishment from the Tamil Nadu Pollution Control Board for the installation of incinerator at Nanjai Thalavaipalayam, Vairapalayam to incinerate non biodegradable municipal solid wastes from Erode Corporation of about 25 T/day vide Proc. No. F.1696EDL/RS/DEE/TNPCB/EDL/W&A/2021 Dated: 20.12.2021. The Erode City Municipal Corporation is yet to complete the establishment works of the proposed municipal solid waste incinerator.

6. It is respectfully submitted that the Erode City Municipal Corporation has provided sewage treatment plant of capacity 50.5MLD at Peelamedu Village, Vendipalayam and the same is under operation. The Corporation has covered 36 wards with UGDSS. The UGDSS works in the remaining 24 wards is in progress.

The Corporation has assured to complete UGDSS works in remaining wards before 31.05.2022. The Results of Analysis of the treated sewage sample collected by TNPCB on 25.11.2021 shows that the parameters such as pH, TSS, BOD, COD & Total Coliform are within the limits prescribed which reveal that the sewage treatment plant is operated satisfactorily. The sewage generated from 10,000 households is treated through septic tank. The septage collected from these septic tank has been treated in STP so that no sullage will be mixed in River Cauvery in future.

7. Earlier, the TNPCB has issued directions to the Pallipalayam Municipality vide proceeding dated 26.08.2021 under Section 33A of Water (Prevention and Control of Pollution) act, 1974 to comply the following:

i. The Pallipalayam Municipality shall provide full-fledged underground Sewerage Scheme Treatment Plant within period of three months to treat the sewage generated from the municipality ii. The local body shall immediately stop the discharge of the untreated/sullage effluent generated from the Municipality into the River Cauvery.

iii. The Local body is liable to pay Environmental Compensation as per Honb'le National Green Tribunal (NGT), Principal Bench order dt. 02.07.2020 in O.A. No. 606 of 2018 for non-compliance of the above directions.

8. It is respectfully submitted that, during inspection by the officials of the TNPCB on 26.01.2022, it was found that the municipality has not provided any sewage treatment plant to treat the sewage generated from the Pallipalayam Municipality.

Therefore, in view of the above, show cause notice was issued to the Commissioner, Pallipalayam Municipality under Section 5 of the Environment (Protection) Act, 1986 as amended as to why the Board shall not levy an Environmental Compensation of Rs.1,05,00,000/- (Rupees One Crore and Five lakhs only) as per the Hon'ble National Green Tribunal (NGT), Principal bench order dt. 02.07.2020 in O.A. No. 606 of 2018 for non-commencement of setting up of STPs before 31.03.2020., i.e., for the period from 01.04.2020 to December 2021 vide Board's Proc. No.TO/TNPCB/F.015196/KMP/ERD/2021, Dated:

29.01.2022.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstance of this case and thus render justice."

39. It is seen from the various reports filed that no trade effluents are reaching the drain as mentioned in O.A. No.67/2020 (SZ) or the Cauvery River as mentioned in O.A. No.52/2020 (SZ) and they are making necessary periodical inspections in respect of the operation of units so as to check the possible pollution and action to be taken in this regard.

40. As regards discharge of untreated sewage is concerned, the Erode City Municipal Corporation had taken some steps to implement the Under Ground Sewerage System (UGSS) and a major portion of the houses have been connected to the UGSS and the remaining houses will have to be connected within the time frame provided by them in the reports viz., 31st May, 2022.

41. Further, it is also seen from the reports that certain actions have been taken by the Tamil Nadu Pollution Control Board against both the local bodies in tune with the directions issued by the Principal Bench of National Green Tribunal, New Delhi in O.A. No.606 of 2018.

42. Since certain actions have been taken and the works are in progress effectively, we feel that there is no necessity to retain these cases to monitor the progress of the work and the applications can be disposed of by giving certain directions.

43. So, both these applications are disposed of as follows:-

(i) Both the Pallipalayam Municipality and the Erode City Municipal Corporation are directed to carry out the action plan prepared by them in tune with the recommendations made by the Joint Committee to resolve the issue within the timeline fixed by them and ensure that no untreated sewage is reaching the Cauvery River.

(ii) The Pallipallayam Municipality as well as the Erode City Municipal Corporation are directed to carry out the implementation of the Solid Waste Management Rules, 2016 and Other Waste Management Rules within their area of jurisdiction in its letter and spirit and 100% compliance of the same to avoid further dumping of waste in the dump yard to create further legacy waste and treat the waste generated scientifically as provided under the respective Waste Management Rules strictly in accordance with law.

(iii) The Tamil Nadu Pollution Control Board is directed to monitor the progress of the work undertaken by both the Pallipallayam Municipality and the Erode City Municipal Corporation in carrying out the action plan prepared by them to prevent discharge of untreated sewage into the Cauvery River or any drain which ultimately reaches the Cauvery River to avoid pollution being caused to the water body and if there is any lacuna or violation found, then they are directed to take appropriate action against the local bodies who are responsible for the same in accordance with law.

(iv) The Tamil Nadu Pollution Control Board is also directed to implement the directions issued by the Principal Bench of National Green Tribunal, New Delhi in O.A. No.606 of 2018 in respect of imposition of environmental compensation against those municipalities who have not implemented the directions in its letter and spirit and file the progress report regarding the action taken and the results thereof before this Tribunal on or before 04.07.2022.

(v) After the legacy waste is disposed of by bio-mining, the Pallipallayam Municipality as well as the Erode City Municipal Corporation are directed to conduct a further study regarding the contamination (if any) caused to the soil and the groundwater in that area, due to dumping of waste for a long time by the recognized agency as suggested by the Tamil Nadu Pollution Control Board and the expenses required for conducting such study and carry out the remediation measures suggested by that agency also will have to be borne by the Pallipallayam Municipality and the Erode City Municipal Corporation within their area of jurisdiction and that will have to be monitored by the Tamil Nadu Pollution Control Board and satisfy that remedial process has been completed and the contamination (if any) caused to the soil has been remedied by the methods provided by the agency in this regard.

(vi) If there is any contamination caused to the soil, then the Tamil Nadu Pollution Control Board is also directed to assess environmental compensation for the damage caused to the environment and take steps to recover the amount from the respective local bodies, after issuing proper notice and conducting a hearing in accordance with law.

(vii) The above aspects must be reflected in the compliance report to be submitted by the Pallipallayam Municipality, Erode City Municipal Corporation and the Tamil Nadu Pollution Control Board as directed by this Tribunal in the earlier paragraphs.

(viii) As and when the reports are received, the office is directed to place the same before this Bench for consideration and also for issuing necessary directions (if any) required in this regard.

(ix) The Registry is directed to communicate this order to the Chief Secretary, State of Tamil Nadu, Principal Secretary for Environment, Additional Chief Secretary for Municipal Administration and Water Supply, Tamil Nadu Pollution Control Board, Pallipallayam Municipality, Erode City Municipal Corporation including the other official respondents in both these cases by e-mail for their information and compliance of directions.

44. With the above observations and directions, both these Original Applications are disposed of.

Sd/-

Justice K. Ramakrishnan, JM Sd/-

Dr. Satyagopal Korlapati, EM O.A. No.52/2020 (SZ), O.A. No.67/2020 (SZ), 31st January, 2022.
Mn.