

p-BEFORE THE NATIONAL GREEN TRIBUNAL (SZ) AT CHENNAI
MEMORANDUM OF APPEAL
(Under section 18 (1) read with sections. 16(h) of National Green
Tribunal Act of 2010)
Appeal No. 0-10 Of 2023 (SZ)

In the matter of

Ramachandrababu,
S/o Bhagavandass,
No.32, Pradhana Street,
193, Vettur Village,
Madhurandhagam Taluk,
Chengalpet District
E-mail: bhagavandasramachandrababu@gmail.com
Ph#: 9751736621

--Appellant

Vs

1. The Union of India,
Rep by its Secretary,
Ministry of Environment, Forest and Climate change,
Parisara Bhavan,
New Delhi-1
& others
- ...Respondents

INDEX

Sl. No.	Date	PARTICULARS	Page No.
1	----	Jammen Pudur Village map	1
2		FMB of S.No.208	2
3		FMB of S.No.207	3
4		FMB of S.No.244	4
5		Form I Submitted by the MuthuKrishnan	5
6		Google earth Map to show the distance from the quarry	24
6	12/12/2003	Judgement in Appeal (civil) 1907-1908 of 2000	25
7	---	Model map for the proposed location to setup the crushing unit and quarry	30

// I certify that the aforesaid copies are true copies //

Dated at Chennai on this 07th Day of June 2023


COUNSEL FOR APPELLANT

District : Chengalpattu

Survey No : 207

Taluk : Maduranthagam

Area : Hect 01 Ares 97.00

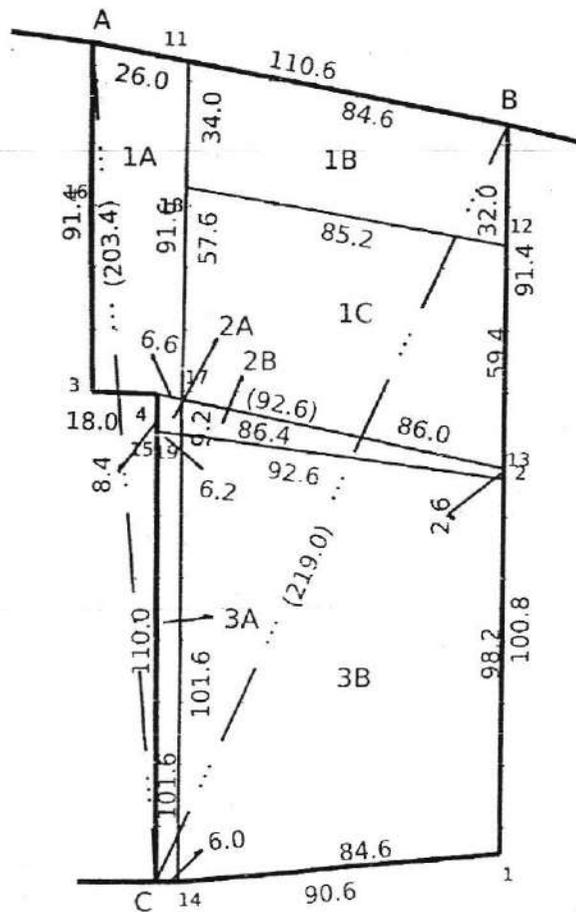
Village : Jamin Puthur (193) [193]

Scale : 1 : 2000

206

208

244



Form-1 (As per EIA Notification 2006)

For the Proposed

Rough Stone and Gravel Quarry Project- 4.53.5ha

S.F.Nos. 208/3C1, 208/3C3, 208/3A1(P), 208/3B2, 208/3A2(P),
208/3B1 and 208/3C2

Vettur Village, Madhuranthagam Taluk,
Chengalpattu District, Tamil Nadu State,

Proposed by

E.Muthukrishnan,
S/o. Ezhumalai Nayakkar,
No.69, Bajanai Kovil Street,
Thirukazhukundram Taluk,
Chengalpattu District – 603 109

APPLICATION FORM FOR TO OBTAINING ENVIRONMENTAL CLEARANCE FROM STATE

ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA)

GOVERNMENT OF TAMILNADU, CHENNAI

E. Muthukrishnan

Appendix -I
(See Paragraph -6)
FORM 1

(I) BASIC INFORMATION

S. No	Item	Details
1	Name of the project/s	<i>Rough Stone and Gravel Quarry Project at Vettur village belongs to E.Muthukrishnan,</i>
2	S. No. in the schedule	1(a)
3	Proposed capacity/area/length/tonnage to be handled/command area/lease area/number of wells to be drilled	<p><u>Production Capacity for first five years</u> The proposed quantity of reserves/ (level of production) to be mined are 4,76,900m³ of Rough Stone for first five years and 1,80,400m³ of weathered rock and 76,780m³ of Gravel for first three years up to a depth of 47m.</p> <p><u>Average production per annum</u> 95,380m³ of Rough stone 60,133m³ of Weathered rock 25,593m³ of Gravel</p> <p><u>Peak Production capacity for year wise plan</u> 97,390m³ of Rough stone 66,880m³ of Weathered rock 30,100m³ of Gravel</p> <p><u>Applied mining Area</u> 4.53.5ha The lease applied area is exhibits plain topography. The area has gentle sloping towards eastern side. The altitude of the area is 100m (max) above Mean Sea level. The area is covered by 2m thickness of Gravel and 5m of Weathered Rock formation. Massive Charnockite is found after 7m (2m Gravel + 5m Weathered Rock) which is clearly inferred from the outcrop and nearby existing quarry pits.</p>
4	New/Expansion/ Modernization	New Proposal for Environmental Clearance
5	Existing capacity/Area etc.	New Proposal for Environmental Clearance
6	Category of project i.e. 'A' or 'B'	Category - B2
7	Does it attract the general condition? If yes, please specify.	The project does not attract the general condition.
8	Does it attract the specify condition? If yes, please specify.	The project does not attract specific condition.

E. Muthukrishnan

E. Muthukrishnan Form I

7

9	Location	The Rough stone and Gravel quarry project is situated at S.F.Nos. 208/3C1, 208/3C3, 208/3A1(P), 208/3B2, 208/3A2(P), 208/3B1 and 208/3C2 of Vettur Village, Madhuranthagam Taluk, Chengalpattu District, Tamil Nadu State. Topo sheet No: 57 - P/15 Latitude between: 12°22'42.14"N to 12°22'50.10"N Longitude between: 79°56'40.17"E to 79°56'48.17"E
	Plot/ Survey/ Khasra No.	S.F.Nos. 208/3C1, 208/3C3, 208/3A1(P), 208/3B2, 208/3A2(P), 208/3B1 and 208/3C2
	Village	Vettur
	Taluk	Madhuranthagam
	District	Chengalpattu
	State	Tamil Nadu
10	Nearest railway station/ airport along with distance in kms	Melmaruvathur Railway station - 13.0km - NW Chennai Airport - 83.0km - NE
11	Nearest Town, city, District Headquarters along with distance in kms	Town - Madhuranthagam -15.0km - NW Nearest City - Chengalpattu - 34.0km - N District - Chengalpattu - 34.0km - N
	Village Panchayats, Zila Parishad, Municipal Corporation, Local body (complete postal addresses with telephone nos. to be given)	Madhuranthagam Panchayat Union
13	Name of the applicant	E.Muthukrishnan,
14	Registered Address	S/o. Ezhumalai Nayakkar, No.69, Bajanai Kovil Street, Thirukazhukundram Taluk, Chengalpattu District - 603 109
15	Address for correspondence:	
	Name	E.Muthukrishnan,
	Designation (Owner/Partner/CEO)	Proprietor
	Address	S/o. Ezhumalai Nayakkar, No.69, Bajanai Kovil Street, Thirukazhukundram Taluk, Chengalpattu District - 603 109
	Pin code No	603 109
	E-mail	nve.earthmoversandsuppliers@gmail.com
	Mobile No.	+91 98655 09864 & 98415 07419
	Fax No.	-
Aadhaar No.	4292 4650 6414	

E. Muthukrishnan

8
E. Muthukrishnan Form 1

16	Details of Alternative Sites examined, if any. Location of these sites should be shown on a Topo sheet.	Not Applicable. This is a site-specific project
17	Interlinked Projects	There is no interlinked project.
18	Whether separate application of interlinked project has been submitted?	As there is no interlinked project, no application has been submitted.
19	If yes, date of submission	Not Applicable
20	If no, reason	Not Applicable
21	Whether the proposal involves approval/ clearance under: if yes, details of the same and their status to be given. (a) The Forest (Conservation) Act, 1980? (b) The Wildlife (Protection) Act, 1972? (c) The C. R. Z. Notification, 1991?	No forest land involved. (a) The Project does not attract the Forest (Conservation) Act 1980. (b) There is no Wild life in the project site area under the Wildlife (protection) Act 1972. (C) The Project area does not fall the C.R.Z Notification, 1991.
22	Whether there is any Government Order/ Policy relevant/ relating to the site?	The precise area communication letter was received from the Assistant Director(i/c), Department of Geology and Mining, Chengalpattu District vide Rc.No.7982/Mines/2021, Dated: 26.09.2022 (Refer Annexure No. I). The Mining plan was approved by the Assistant Director(i/c), Department of Geology and Mining, Chengalpattu vide Rc.No. 7982/Mines/2022 Dated: 18.11.2022 (Enclosed Annexure No. XI).
23	Forest land involved (hectares)	No, there is no forest land involved in the project area.
24	Whether there is any litigation pending against the project and/ or land in which the project is propose to be set up? (a) Name of the Court (b) Case No. (c) Orders/ directions of the Court, if any and its relevance with the proposed project.	No, There is no court case or litigation pending relating to the project directly or indirectly.

(II) Activity

R. Muthukrishnan

1. Construction operation or decommissioning of the project involving actions, which will cause physical changes in the locality (topography, land use changes in water bodies, etc.)

S. No	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with sources of information data
1.1	Permanent or temporary change in land use, land cover or topography including increase in intensity of land use (with respect to local land use plan)	Yes	<p>The lease applied area is exhibits plain topography. The topography will be changed after the quarrying of Rough stone as per the Mining plan. It is an Open cast Mechanized Mining with 5.0 meter bench height with a bench width of 5.0 meter is proposed.</p> <p>At end of the mine life, thick plantation will be developed on the top benches and partly backfilled mine void. Water body will be developed in the remaining mined out pit in the lower benches.</p>
1.2	Clearance of existing land, vegetation and building?	Yes	The proposed land is fresh area. Vegetation like some tress, thorny bushes, shrubs, herbs are present. There is no building in this project lease area.
1.3	Creation of new land uses?	Yes	<p>The entire area will be used for quarrying of Rough stone.</p> <p>Temporary approach road within the area will be maintained for easy access of men and machinery which will be well maintained till life of the mine.</p> <p>At conceptual stage, the area will be converted into mine benches covered with thick plantation and water body.</p>
1.4	Pre-construction investigations e.g. bore houses, soil testing?	No	Not Applicable
1.5	Construction works?	Yes	There will not be any significant construction activity except for workers rest room and office.
1.6	Demolition works?	No	Not Applicable
1.7	Temporary sites used for construction works or housing of construction workers?	No	Not Applicable
1.8	Above ground buildings, structures or earth works including linear structures, cut and fill or excavations	No	Not Applicable

E. Muthukrishnan

10

E. Muthukrishnan Form 1

1.9	Underground works including mining or tunneling?	No	Not Applicable
1.10	Reclamation works?	Yes	In the proposed mining plan only 47m below from the ground level. At the end of life of mine, lower benches of excavated area will be converted into water pond and thick plantation will be carried out on top benches and safety barrier area.
1.11	Dredging?	No	Not Applicable
1.12	Offshore structures?	No	Not Applicable
1.13	Production and manufacturing processes?	Yes	<p>Open cast Mechanized method of deployment by Excavator & Jack Hammer Drilling and small scale blasting for mining of mineral.</p> <p>The salient features of mining method are:-</p> <ul style="list-style-type: none"> ➤ The height of the bench will be 5.0m and width will not less than the height of the bench. ➤ The mining will be done from top to bottom. ➤ Considering the stability of rocks the final slope or ultimate pit slope will 60° from vertical. ➤ Small scale blasting with low charge of holes will be done to loosen the rocks. ➤ Haul road will be developed up to point of loading and will not have gradient more than 1 in 16. ➤ Transportation of the mineral from mine to destination will be by tarpaulin covered trucks.
1.14	Facilities for storage of goods or materials?	No	Temporary facility for storage of mineral will be developed in mine site.

E. Muthukrishnan

E. Muthukrishnan Form 1

11

1.15	Facilities for treatment or disposal of solid waste or liquid effluents?	No	The overburden is in the form of Gravel and Weathered formation. The quarried out Gravel and Weathered formation will be directly loaded into Truck for the filling and levelling of low lying areas. The excavated Rough Stone will be directly loaded into tippers to the needy customers. The Composite year wise Development and production plan and sections indicating the Pit lay out, Green belt development are shown in Plate Nos. III. The overburden excavated from the quarry will be dumped separately at pre-determined place and subsequently will be utilized for laying internal haul road and will form base in reclamation/plantation. Domestic waste water will be discharged in Septic Tank followed by soak pit. No process effluent will be generated during quarry operation.
1.16	Facilities for long term housing of operational workers?	No	Mostly local persons will be employed.
1.17	New road, rail or sea traffic during construction or operation?	Yes	There will be stone transportation traffic from mine to the buyer's location.
1.18	New road, rail, air waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc.?	No	Existing facilities will suffice for the purpose of mining activity.
1.19	Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements?	No	Not proposed
1.20	New or diverted transmission lines or pipelines?	No	Not Applicable
1.21	Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?	No	Not Applicable
1.22	Stream crossings?	No	Not Applicable

E. Muthukrishnan Sd/-

12

E. Muthukrishnan Form 1

1.23	Abstraction or transfers of water from ground or surface waters?	Yes	About 2.5KLD water will be required for dust suppression, plantation and domestic use. Water for dust suppression and plantation will be obtained from accumulated rainwater/seepage water in mine pits (when available) and from nearby bore well/open well through tanker. Water for drinking will be supplied from bore well in nearby village. Mining operations may intersect ground water table during later stage of mining.
1.24	Changes in water bodies or the land surface affecting drainage or run-off?	Yes	Drainage pattern of the mining area will be changed due to formation of mine benches and pits. No impact on the drainage pattern outside the mining area.
1.25	Transport of personnel or materials for construction, operation or decommissioning?	Yes	Major transportation will be for transportation of stone produced from the mine to the buyer's location.
1.26	Long-term dismantling or decommissioning or restoration works?	No	No Dismantling or decommissioning is proposed in this project.
1.27	Ongoing activity during decommissioning which could have an impact on the environment?	No	Not Applicable
1.28	Influx of people to an area in either temporarily or permanently?	No	Employment will be given to people of nearby areas, no influx will take place.
1.29	Introduction of alien species?	No	Not Applicable
1.30	Loss of native species or genetic diversity?	No	There is no endangered or endemic flora species in project area. Some trees will have to be removed for mining. There will not be any loss of genetic diversity.
1.31	Any other actions?	No	Not Applicable

E. Muthukrishnan

2. Use of Natural resources for construction or operation of the project (such as land, water, materials or energy, especially any resources which are non -renewable or in short supply):

S. No	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with sources of information data								
2.1	Land especially undeveloped or agricultural land (ha)	Yes	The lease applied area is 4.53.5ha; It is a Patta lands will be used for mining. The proposed land barren land.								
2.2	Water (expected source & competing users) unit: KLD	Yes	<p>Detail of water requirements in 2.5KLD as given below:</p> <table border="1"> <tr> <td>Dust Suppression</td> <td>1.5KLD</td> </tr> <tr> <td>Drinking Purpose</td> <td>0.4KLD</td> </tr> <tr> <td>Green Belt</td> <td>0.6KLD</td> </tr> <tr> <td>Total</td> <td>2.5KLD</td> </tr> </table> <p>The required water will be met from rainwater accumulated in mine pit (when available) and from bore well and open well from nearby area through tankers.</p>	Dust Suppression	1.5KLD	Drinking Purpose	0.4KLD	Green Belt	0.6KLD	Total	2.5KLD
Dust Suppression	1.5KLD										
Drinking Purpose	0.4KLD										
Green Belt	0.6KLD										
Total	2.5KLD										
2.3	Minerals (MT)	Yes	A maximum of 2,47,988Tonnes per annum Rough stone, 1,20,266Tonnes per annum Weathered rock and 51,186Tonnes per annum Gravel will be produced.								
2.4	Construction material - Stone, aggregates, and/Soil (expected source-MT)	No	No construction is proposed								
2.5	Forests and timber (source-MT)	No	Not Applicable								
2.6	Energy including electricity and fuels (source, competing users) unit: fuel (MT),Energy (MW)	Yes	Mainly diesel will be used to operate mine machinery and equipment. The average diesel requirement will be 4,24,390liters of HSD. No electricity is required for quarrying operation.								
2.7	Any other natural resources (use appropriate standard units)	No	Not Applicable								

E. Muthukrishnan

14 E. Muthukrishnan Form 1

3. Use, storage, transport, handling or production of substances or materials, which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health.

S. No	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with sources of information data
3.1	Use of substances or materials, which are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna, and water supplies)	Yes	Explosive shall be procured from Licensed vendor and transported to the site at the time of blasting and used in accordance with Explosive Rules 2008, MSIHC Rules 1989, Mines Act 1952 and MMR 1961 and with necessary permission for blasting from DGMS.
3.2	Changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)	No	Not Applicable
3.3	Affect the welfare of people e.g. by changing living conditions?	Yes	The local people will benefit by way of direct and indirect employment opportunities. Also, mine management will carry out social welfare activities in the nearby villages.
3.4	Vulnerable groups of people who could be affected by the project e.g. hospital patients, children's, the elderly etc.,	No	There are no vulnerable groups nearby the mine site, which could get affected due to mining operations.
3.5	Any other causes	No	None

4. Production of solid wastes during construction or operation or decommissioning MT/mounts)

R. Muthukrishnan

E. Muthukrishnan Form 1

15

S. No	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with sources of information data
4.1	Spoil, overburden or mine wastes	Yes	<p>The overburden is in the form of Gravel and weathered formation. The quarried out Gravel and weathered formation will be directly loaded into tippers for the filling and levelling of low lying areas. The excavated Rough Stone will be directly loaded into tippers to the needy customers. The Composite year wise Development and production plan and sections indicating the Pit lay out, Green belt development are shown in Plate Nos. III.</p> <p>The over burden excavated from the quarry will be dumped separately at pre-determined place and subsequently will be utilized for laying internal haul road and will form base in reclamation/plantation.</p> <p>Domestic waste water will be discharged in Septic Tank followed by soak pit.</p> <p>No process effluent will be generated during quarry operation.</p>
4.2	Municipal waste (domestic and or commercial wastes)	Yes	Domestic effluent will be discharged in septic tank and soak pit system.
4.3	Hazardous wastes (as per Hazardous Waste Management Rules)	No	No hazardous waste will be generated in the mine. No workshop is proposed in the mining area.
4.4	Other industrial process wastes	No	Not Applicable
4.5	Surplus product	No	Not Applicable
4.6	Sewage sludge or other sludge form effluent treatment	No	Domestic effluent will be discharged in septic tank and soak pit system. There is no process effluent generation in the mine.
4.7	Construction or demolition wastes	No	Not Applicable
4.8	Redundant machinery or equipment	No	Not Applicable
4.9	Contaminated soils or other materials	No	Not Applicable
4.10	Agricultural wastes	No	There is no agricultural waste anticipated.
4.11	Other solid wastes	No	There is no other solid waste anticipated.

E. Muthukrishnan

5. Release of pollutants or any hazardous, toxic or noxious substances to air (Kg/hr)

S. No	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with sources of information data
5.1	Emissions from combustion of fossil fuels from stationary or mobile sources	Yes	Negligible emissions of SO ₂ & NO ₂ will be there due to use of diesel operated machinery. Vehicular emissions will be kept under control by proper maintenance.
5.2	Emissions from production processes	Yes	Dust is the main pollutant, which will be generated mainly from mining activities (drilling, blasting and excavation) and vehicle movement. Following measures will be adopted to control dust: Dust Control Measures <ul style="list-style-type: none"> ➤ Water sprinkling on haul roads ➤ Limiting the speed of the vehicles ➤ Regular maintenance of vehicles/ equipment's ➤ Covered transportation of stone. ➤ Plantation around mining area and along the road as green barrier
5.3	Emissions from materials handling including storage or transport	Yes	Fugitive dust will be generated from material handling activities. Dust suppression by water sprinklers will be carried out to prevent the fugitive dust emissions during loading. Covered transportation of stone to avoid dust emission. Thick green belt (Native species) will be developed all along the proposed boundary.
5.4	Emissions from construction activities including plant and equipment	No	No construction activities are involved.
5.5	Dust or odors from handling of materials including construction materials, sewage and waste	Yes	There is no odor from handling of material. Only dust will be generated from transportation & handling materials. The dust emission will be controlled by adopting suitable measures viz. water sprinkling, plantation, making enclosures & maintaining roads.
5.6	Emissions from incineration of waste	No	Not Applicable, as no incineration will be involved.
5.7	Emissions from burning of waste in open air (e.g. slash materials, construction debris)	No	Not Applicable
5.8	Emissions from any other sources	No	Not Applicable

R. Muthukrishnan

6. Generation of Noise and Vibration, and Emissions of Light and Heat:

S. No	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with sources of information data
6.1	From operation of equipment e.g. engines, ventilation plant, crushers	Yes	<p>Mining operation is being carried out by semi-mechanized method. Noise from operation of drill machine & hauling equipment's.</p> <p>Mitigation Measures:- The following measures will be adopted to control the noise and vibration:</p> <ul style="list-style-type: none"> ➤ Proper and regular maintenance of machinery. ➤ Earmuffs and earplugs will be provided to the persons exposed to noise levels. ➤ Periodical medical checkup will be conducted. ➤ Mining will be conducted during day time only.
6.2	From industrial or similar processes	No	Not Applicable
6.3	From construction or demolition	No	Not Applicable
6.4	From blasting or piling	Yes	Blasting in small scale will be done so noise will be instantaneous and temporary. There will be small vibrations from blasting but no long term impact on nearby area is anticipated.
6.5	From construction or operational traffic	Yes	During operational stage running of dumpers/tippers will produce noise, which will not cause any significant impact.
6.6	From lighting or cooling systems	No	Not applicable. No lighting or cooling system will be involved in mining. The mining operation will be carried out during day time only.
6.7	From any other sources	No	Not Applicable

E. Muthukrishnan

18

E. Muthukrishnan Form 1

7. Risks of contamination of land or water from releases of pollutants into the ground or into sewers, surface water, ground water, coastal water or the sea:

S. No	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with sources of information data
7.1	From handling, Storage, use or spillage of hazardous materials	No	Explosives will be procured /supplied by licensed contractor on the day of working and will be handled and used by persons certified under MMR 1961.
7.2	The discharge of sewage will be collected on soap pits will be discharge to a place authorized by municipal authorizes as per guidelines	Yes	There is no risk of contamination of land and water due to discharge of untreated wastewater. The domestic effluent will be discharged in the septic tank followed by soak pit.
7.3	By deposition of pollutants emitted to air into the land or into water	Yes	During operation phase, there will be dust emissions mainly from excavation, loading, unloading, mineral handling, transportation and mobile sources. Control measures like water sprinkling, green belt development etc. will be adopted to minimize the same. Thus, dust settling on land is expected to be very low and will be non-toxic.
7.4	From any other sources	No	Not applicable, as no other sources are involved.
7.5	Is there a risk of long term buildup of pollutants in the environment from these sources?	No	There is no risk of long term build-up of pollutants in the environment from these sources as proper mitigation measures will be taken regularly.

E. Muthukrishnan

8: Risk of accidents during construction or operation of the project, which could affect human health or the environment

S. No	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with sources of information data
8.1	From explosions, spillages, fires etc., form storage, handling, use or production of hazardous substances	Yes	Blasting for excavating the stone with optimum charge of holes will be carried out to loosen the rock. Explosion hazards are envisaged due to mishandling of explosives. Explosives will be handled with utmost care in compliance of conditions imposed by Chief Controller of Explosive & Metalliferous Mines Regulation, 1961. Only competent and authorized persons will be allowed to handle the explosives as per MMR, 1961 and permission.
8.2	From any other causes	Yes	The risk of accidents is anticipated from operation of equipment's, failure of mine pit etc. Pits slope will be kept at 60°. No loose stone or debris will be allowed to remain near the edges of excavation and along the sides of haul road. However, good safety practices will be applied at the mine site. All precautionary measures will be adopted and use of protective equipment's will be mandatory. However, to deal the minor incidences and accidents, first aid measures at site will be provided.
8.3	Could the project be affected by natural disasters causing environmental damage (e.g. floods, earthquakes, landslides, cloudburst etc.)?	No	Zone III, Moderate damage risk zone as par BMTPC, vulnerability atlas seismic zone of India IS: 1893 - 2002. There is no history of flood, earthquake, cloud burst and landslide reported so far.

R. Muthukrishnan

20

E. Muthukrishnan Form 1

9. Factors which should be considered (such as consequential development) which could lead to environmental effects to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality

S. No	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with sources of information data
9.1	Lead to development of supporting cities, ancillary development or development stimulated by the project which could have impact on the environment e.g.: <ul style="list-style-type: none"> • Supporting infrastructure (roads, power supply, waste or waste treatment, etc.) • housing development • extractive industries • supply industries • other 	Yes	The mining activities may promote growth of transport sector, crushers and other service sectors like shops, garages, eateries, etc.
9.2	Lead to after- use of the site, which could have an impact on environment	Yes	At the end of the life of the mine, the excavated area will be developed as water reservoir and the top mined out benches will be covered with thick plantation. This will add to the positive impact on environment and aesthetic beauty of the area as well as recharging of ground water.
9.3	Set a precedent for later developments	Yes	A better after use scenario with increase in greenery, besides the quarried-out pit will act as a temporary reservoir which will enhance the static level of the Ground water in the nearby wells.
9.4	Have cumulative effects due to proximity to other existing or planned projects with similar effects	Yes	There are no operating mines in the vicinity of the project.

E. Muthukrishnan

(II) Environmental Sensitivity

Sl.No.	Areas	Name/ Identity	Aerial distance (within 10km) Proposed project location boundary
1	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value	—	None within the 10 km radius.
2	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests	<p>Reserve Forest:</p> <ul style="list-style-type: none"> ➤ Nirper Reserve Forest – 1.40 km – North West (Source - TNGIS) ➤ Acharapakkam R.F. - 15.0km – W <p>Wild Life Sanctuary:</p> <ul style="list-style-type: none"> ➤ Vadanthangal Birds Sanctuary -20.2km- NW ➤ Pulicat lake Wildlife - 121.4km - NE <p>Water bodies:</p> <ul style="list-style-type: none"> ➤ Tank – 250m-E (Extent : 31 Ha, Apx Storage Capacity – 4,76,580 KL) ➤ Odai -1.0km - NE ➤ Vilanganur Lake– 1.2km- N ➤ Irumbedu Lake– 1.8km- SE ➤ Onambakkam Lake– 2.4km- NE ➤ Odiyur Lake– 7.5km- SE ➤ Z.Endathur Lake– 7.4km- NW ➤ Kiliyar River – 14.7km NW 	
3	Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration	—	None within the 10 km radius.
4	Inland, coastal, marine or underground waters	<ul style="list-style-type: none"> ➤ Kiliyar River – 14.7km- NW ➤ CRZ – 12.6km- SE 	
5	State, National boundaries	Andhra Pradesh Interstate boundary	93.7km- NW

E. Muthukrishnan Form 1

6	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas	➤ (SH-115) Melmaruvathur – Cheyyur Road	1.0km- N
7	Defense installations	—	None within 10 km radius
8	Densely populated or built-up area	There is no DTCP approved habitation within the radius of 300m.	
9	Areas occupied by sensitive man-made land uses (hospitals, schools, places of worship, community facilities)	➤ Govt high school	2.0km-NE
		➤ Government Hospital	7.0km-NW
		➤ Sri Santhoshi Polytechnic college	7.0km-NW
		➤ Sri Bala muniswaran temple	1.0km- SE
10	Areas containing important, high quality or scarce resources (ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals)	—	None within 10 km radius
11	Areas already subjected to pollution or environmental damage. (those where existing legal environmental standards are exceeded)	—	None within 10 km radius
12	Areas susceptible to natural hazard which could cause the project to present environmental problems (earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions)	—	Zone III, Moderate damage risk zone as per BMTPC, Vulnerability Atlas of Seismic zone of India S:1893 – 2002.No history of such incidents in the area

E. Muthukrishnan

(III) Proposed Terms of Reference for EIA studies

As per EIA Notification 2006, S.O.1533 Dated 14th September 2006; and S.O.3977 (E) dated 14.08.2018, the project is applied under B-2 Category. It is requested that Environmental Clearance may kindly be granted to the project. That however I will comply with all the guidelines as directed by Honorable committee and abide by the same. Post EC compliance will be regularly carried and reports will be submitted to concerned authorities.

Declaration

"I hereby given undertaking that the data and information given in the application and enclosures are true to the best of my knowledge and belief and I am aware that if any part of the data and information submitted is found to be false or misleading at any stage, the project will be rejected and clearance give, if any to the project will be revoked at our risk and cost.

Date:

Place: Chengalpattu

1. Signature of the proponent with Name and Full Address

E. Muthukrishnan

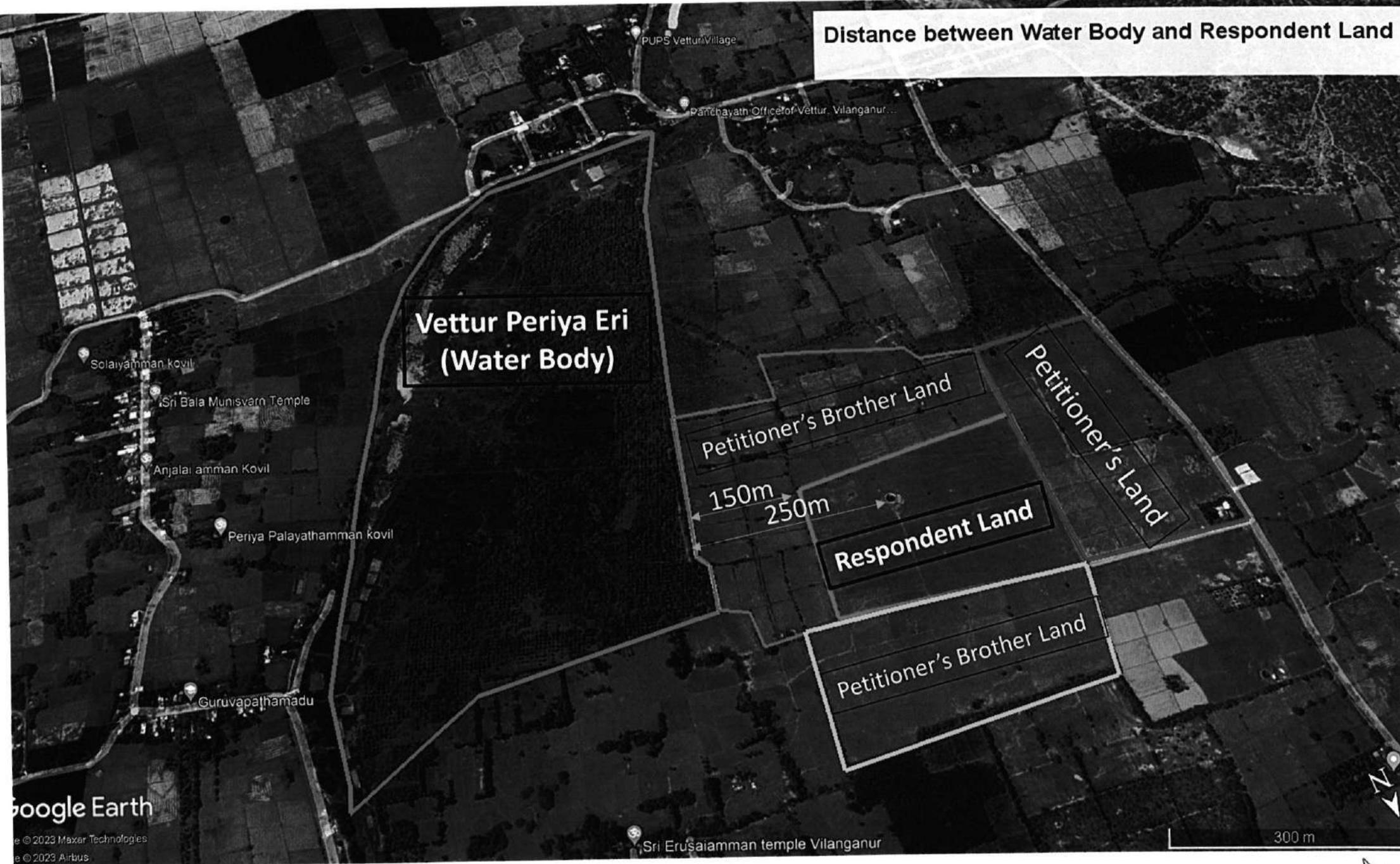
E.Muthukrishnan,
S/o. Ezhumalai Nayakkar,
No.69, Bajanai Kovil Street,
Thirukazhukundram Taluk,
Chengalpattu District – 603 109
Mobile No: +91 98655 09864 & 98415 07419

2. Signature of the Qualified Person

Dr. P. Thangaraju

Dr. P. Thangaraju, M.Sc., Ph.D.,

Distance between Water Body and Respondent Land



Google Earth

© 2023 Maxar Technologies
© 2023 Airbus

24

Supreme Court of India

Mohammed Haroon Ansari & Anr vs The District Collector, Ranga ... on 12 December, 2003

Author: R Babu

Bench: S. Rajendra Babu, G.P. Mathur

CASE NO.:

Appeal (civil) 1907-1908 of 2000

PETITIONER:

Mohammed Haroon Ansari & Anr.

RESPONDENT:

The District Collector, Ranga Reddy District, A.P. & Ors.

DATE OF JUDGMENT: 12/12/2003

BENCH:

S. RAJENDRA BABU & G.P. MATHUR

JUDGMENT:

J U D G M E N T [WITH Civil Appeal Nos. 1909-1910/2000, 1911-1912/2000 and 1913-1914/2000]
RAJENDRA BABU, J. :

On the basis of a letter sent to the Chief Justice of the High Court of Andhra Pradesh, a petition in the nature of public interest litigation was entertained to direct the respondents to take action against the illegal blasting and crushing of granite for concrete metal in the areas of the Goldodi, Nanakramguda, hills of Khanapur and Kokapet in Rangareddy District as a result of which a lot of fine granite silica dust is entering into the atmosphere which causes a disease called 'Silicosis' to the residents nearby. Two writ petitions were filed by the appellants in Civil Appeal Nos. 1907-1908/2000 calling for records of proceedings before the Assistant Director of Mines and Geology, Hyderabad in respect of grant of lease over an extent of 5 acres in survey No. 239 of Kokapet village, Rangareddy District, for quashing the same and for granting appropriate consequential reliefs. Similarly, certain other persons also filed writ petitions challenging the action of the Government in stopping the mining operations in different areas of Kokapet village.

The High Court called for a report from the Assistant Director of Mines and Geology. The said Report revealed that there are four quarry leases and three stone crushers in Kokapet village, Rajendranagar Mandal; that the quarries and crushers are at a distance of 2 kms to the South of Kokapet village and 20 kms from Hyderabad; that the ground level water reservoir of Hyderabad Metropolitan Water Works and Sewerage Board is located at a distance of 1 km from the stone quarry, which supplies water to the city of Hyderabad; that the Osmansagar lake is also located at about 3 kms South West of these quarries and crushers. After receipt of the Report of the Assistant Director of Mines and Geology, the High Court impleaded 17 stone industries and also directed issue of notice to the Government of Andhra Pradesh to appoint a Committee of Experts to examine whether quarrying, crushing and blasting activities close to Osmansagar lake and the ground level water reservoir of Hyderabad Metropolitan Water Works and Sewerage Board are endangered by such operations and submit a report of the said Committee to the High Court.

A Committee, consisting of Shri T.

Chattarjee, Member Secretary, A.P. Pollution Control Board, Shri K.P. Chandrasekhar Rao, Director (Technical), Hyderabad Metropolitan Water Works and Sewerage Board, Shri K.V. Rao, Shri T.V. Chowdary, Director of Mines and Geology, Hyderabad and Shri P. Babu Rao, Director, Ground Water Department, submitted its report on 4.8.1997. Conclusions and recommendations of the Committee are as under :-

"(1) As a result of blasting in the quarries, within a radius of 1 k.m. the shock waves which are generated, pass through the joints especially the horizontal joints and create vibrations in the nearby areas. The reservoir which is close by is also within the range of its impact. Higher than present intensities of blasting will definitely cause damage to the reservoir structure. Thus, blasting and quarrying within a range of 1 k.m., already prohibited, must not be permitted.

(2) To prevent unauthorised quarrying, it is suggested that the approach road must be closed after the gateway of the GLSR and all activities of unauthorised quarrying must be stopped forthwith. Security staff can be contracted for the purpose by the GLSR authorities.

(3) The authorised quarry and crusher company will lose approach and can be permitted to build another approach to their facilities from the Eastern side. (4) The quarries on the northern flanks of the hill range at a distance of 1 km from the reservoir will not have any impact on the reservoir as the joint patterns/systems in the areas. The GLSR is on one side of the dispersion point, the authorised quarries are on the other side of it. However, as a precautionary measure, the intensity of blasting must be kept at the minimum by fixing the limit of number holes, depth of hole and quantity of explosive per blasting.

(5) There is no impact on Osmansagar lake due to blasting beyond 1 km radius."

However, the High Court, after noticing various aspects attributed to in the Report, held as follows :-

"The distance of 1 kilometre, according to expert committee is a safe distance between the site under quarry lease and the residential locality or GLSR. In fact, the distance between them is not only to be safe, but it should be safer. As the residents of the village situated nearby are experiencing tremors as well as dust pollution, it is always better that no quarry lease should be granted within a distance of 2 kilometers in future. Therefore, respondents 7 to 23 cannot operate quarry leases and stone crushers. It is, however, open to them to apply for areas for quarry lease beyond 2 kilometers from residential areas and GLSR."

On the basis of this conclusion, the High Court set aside the leases granted in favour of 17 respondents, including the appellants in these appeals before us. The order of the High Court is in challenge in these appeals.

When the matter came up before this Court, by an order made on 17.2.1998, this Court stayed the order of the High Court in so far as the appellants before this Court is concerned and restrained the

appellants from carrying on any mining and stone crushing operations within a distance of 1 kilometer from the lake or service reservoir and 500 meters from human habitation. Subsequently, this Court granted leave in all these matters and, by an order made on 4.3.2003, asked the parties to get a report from a competent institution or organisation which has experience in the field to make a proper assessment as to the impact on the GLSR in relation to the activities carried on by the stone crushers and quarries and file a report. The said Report has been made by Center of Mining Environment, Indian School of Mines, Dhanbad making an assessment of the impacts of stone quarries and stone crushers on the ground level service reservoir on the banks of Osmansagar lake on the outskirts of Hyderabad city. The said Committee consisted of Prof. N.C. Saxena, Professor and Dean who was a mining engineer and mining environment expert having over 35 years experience, Prof. Gurdeep Singh, Head, Center of Mining Environment who was an expert on environmental pollution having over 20 years experience, Dr. (Mrs.) Rekha Ghosh, Asst. Prof. who was environmental geologist and hydrogeologist having over 35 years experience and Dr. A.K. Pal, Asst. Prof. who was an expert in environmental pollution having 20 years experience. The Committee, after studying the area, nature of mining activities, change in land use, topography, ground vibrations due to blasting, air quality assessment, water quality assessment, noise quality assessment, concluded as follows :-

"Impacts on Ground Level Service Reservoir (GLSR) ? As seen in Fig. 1a the GLSR lies on the opposite flank of the hill with respect of the sites of the quarries of M/s Saleem Metal Industries, M/s Sulfi Metal Industries, and M/s Al-Hira Metal Industries at an aerial distance of about 1.2 km.

? The blast vibration studies at the site of GLSR indicated that the level of the vibrations for the nature of blasting done at the quarries was such that it was below the lowest detectable limit of the instrument (0.51 mm/sec) and hence below the permissible limit (10 mm/sec for dominant frequency >25 Hz) for the objects of historic importance and sensitive structures. Therefore, the GLSR is not likely to be affected by blasting at the quarries of M/s Saleem Metal Industries, M/s Sulfi Metal Industries, and M/s Al-Hira Metal Industries.

? It is observed from the wind-rose diagram in Fig. 8 that the predominant wind direction in the area was from the side of the GLSR towards the quarries and crusher sites of M/s Saleem Metal Industries, M/s Sulfi Metal Industries, and M/s Al-Hira Metal Industries. The concentrations of SPM, RPM, Ox and SO₂ in the air were well within the permissible limits of 200 ug/m³, 100 ug/m³, 80 ug/m³ and 80 ug/m³ respectively for residential areas. The concentration of PBS in the ambient air was below the detectable limit of <0.6 mg/m³. Hence, the activities at the quarries and the stone crushers were not causing any air pollution at the site of GLSR.

? The drainage/watershed (Fig. 2) study indicates that the GLSR and the quarries and stone crushers of M/s Saleem Metal Industries, M/s Sulfi Metal Industries, and M/s Al-Hira Metal Industries lie in two different watersheds. Hence, the run-off from the quarries and stone crushers cannot reach the site of the GLSR. Thus, there is no question of water at GLSR getting polluted due to the activities at these quarries and crushers.

Impacts on Osmansagar Lake ? .As seen in Fig. 1a Osmansagar lake lies on the opposite side of the hill from the sites of the quarries and stone crushers of M/s Saleem Metal Industries, M/s Sulfi Metal Industries, and M/s Al-Hira Metal Industries at a distance of about 1.5 km. The dam of the lake is at a distance of about 4 km from the quarries. Also the lake lies in a different area/watershed as is evident from the drainage map of the area shown in Fig. 2. Hence, the run-off from the quarries and stone crushers can not reach the lake and pollute the water in the lake. ? The water quality studies for the lake water (samples W7 & W8) indicate that the quality of the water available in the lake was conforming to the potable water standards (IS 10.500) ? The ground vibrations due to blasting at the quarries of M/s Saleem Metal Industries, M/s Sulfi Metal Industries, and M/s Al-Hira Metal Industries would not reach the dam site of the lake as its distance was about 4 km from the mines and the vibration observations at GLSR at a distance of about 1.2 km indicates that the level of the vibrations was below the measuring limit of the instrument. ? In view of the above discussions Osmansagar lake is not likely to be affected in any manner due to mining and stone crushing activities of M/s Saleem Metal Industries, M/s Sulfi Metal Industries, and M/s Al-Hira Metal Industries.

Impacts on Kokapet Village Kokapet village lies at a distance of about 2 km from the site of the quarries and stone crushers of M/s Saleem Metal Industries, M/s Sulfi Metal Industries, and M/s Al- Hira Metal Industries. The mining and stone crushing operations of these industries would not affect the village in any manner because of the following reasons :

? The village being at a distance of about 2 km would not receive the blast vibrations to affect any building or structure because the level of the vibrations at a distance of 1.2 km at the site of the GLSR was below the detectable limit of the instrument.

? The ambient air quality at the village was good as the concentrations of the SPM, RPM, Nox, So2 and Pb in the ambient air were well below the permissible limits for the residential areas (24 hour average). Hence, the quarrying and stone crushing activities at M/s Saleem Metal Industries, M/s Sulfi Metal Industries, and M/s Al- Hira Metal Industries were not causing any air pollution problem at the village.

? The village would also not receive any run-off from the site of the quarries and the stone crushers because even if being in the same drainage system the run-off will be arrested in the water impoundment before the village."

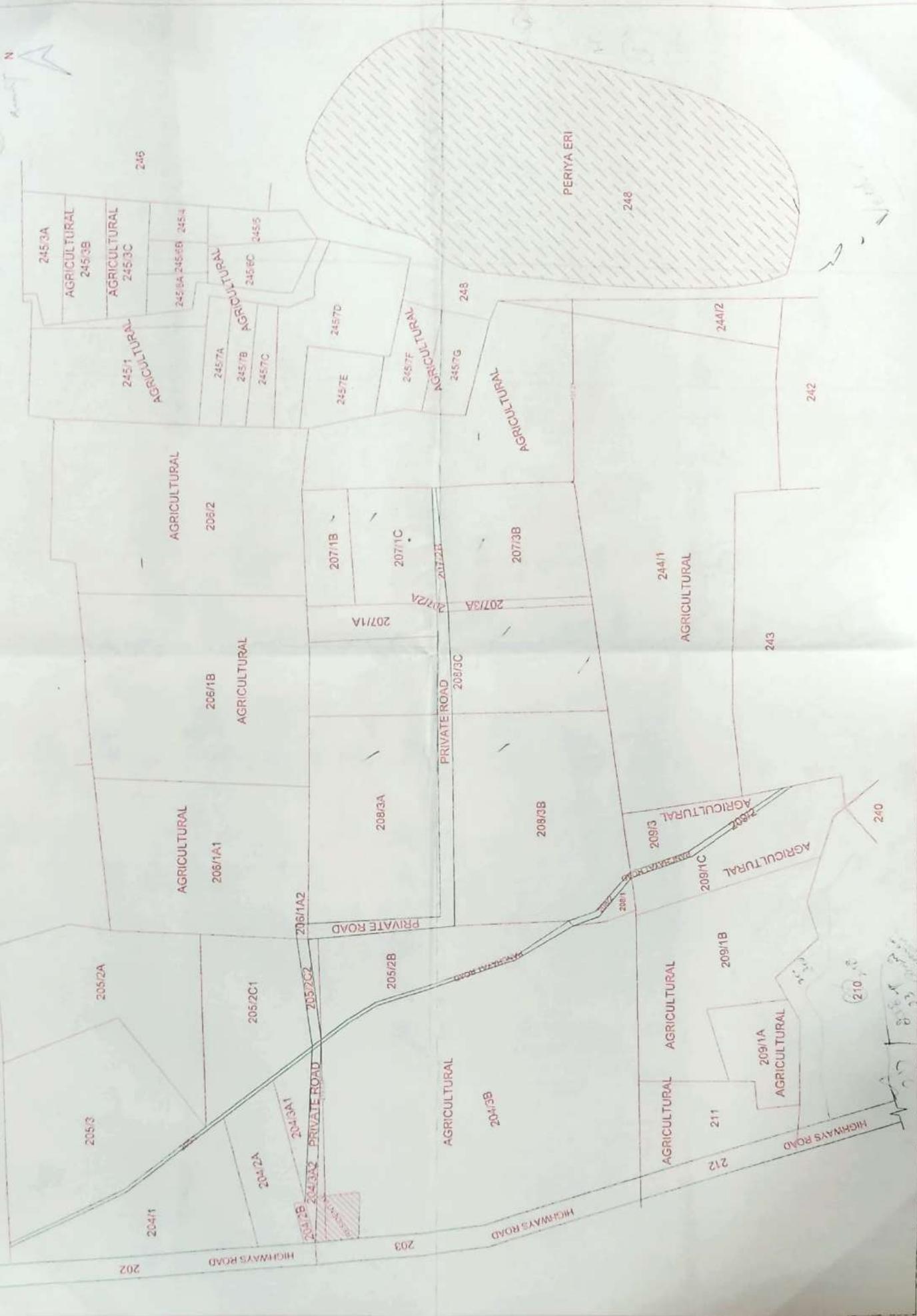
We called upon the Pollution Control Board to respond to the Report submitted by the Center of Mining Environment, Dhanbad, but the Pollution Control Board has not contradicted what has been stated in the said Report. On the other hand, it was averred by them that (a) the RSPM, SPM NOX and SO2 are within the Ambient Air Quality Standards prescribed for residential zones, (b) Noise levels are also within the permissible limits at some crushers, (c) the run off from the stone crushers reaches in the downstream of Osmansagar lake, that is, Musi river as seen from the drainage map. Pollution Control Board further stated in their affidavit that :-

"The impact studies done by the Indian School of Mines, Dhanbad concluded that there will not be any adverse impacts on GLSR or Osmansagar lake due to the mining and stone crushing activities of the three crushers which are located about 1.2 km away from GLSR. From this observation, it can also be concluded that there will not be any impact on GLSR or lake from any other existing crushers as they are further away from these three crushers on which studies are made by the ISM."

We may, at once, notice that the High Court was persuaded by public interest involved in the matter in initiating proceedings on the basis of a letter sent to it. The anxiety of the High Court was further exhibited by its concern in the matter in constituting an expert committee and although that Expert Committee stated that a distance of 1 km is a safe distance between the site under quarry lease and the residential locality or GLSR, but in order to be safer than what the Expert Committee observed, the High Court increased the distance by another 1 km. Particularly when the assessment made by the Center of Mining Environment, Indian School of Mines, Dhanbad, concluded that there is no impact by the quarry operations carried on by the appellants before us on the GLSR or Osmansagar lake or nearby residential locality, it is unnecessary to impose condition that the distance of 1 km for carrying out the quarry activities should be converted to 2 km. The affidavit of Pollution Control Board indicates that if proper safeguards are adopted as indicated in the said affidavit, it will not cause any air, water or noise pollution, much less dust articles affect the water supply system in GLSR or Osmansagar lake. We, therefore, direct that the order made by the High Court is modified by directing that the distance of 1 km is a safe distance between the site of the quarry leases and the residential localities or GLSR or Osmansagar lake. The guidelines issued by the Andhra Pradesh Pollution Control Board specified 1 km to be safe distance between crusher and human habitation from 17.01.1997. Prior to that it was only 500 meters away from national Highway and 100 meters away from the State Highway, Major District roads and other roads. That is why this Court granted an interim order earlier and directed that no mining and stone crushing operations shall be carried on within a distance of 1 km from lake or reservoir and 500 meters from human habitations. This order will hold good in respect of all such mining leases which have been granted prior to 17.12.1996. It is not necessary to advert to any other details or arguments raised in the petitions filed before the High Court or in appeals before this Court. Suffice it to observe that the impugned order of the High Court shall stand modified only to the extent indicated by us and all other terms set out by the High Court in regard to the safeguards to be adopted in maintenance of environment shall remain intact. Further, it is certainly necessary that the appellants before carrying on any of the mining and stone crushing activities obtain necessary clearance from the Pollution Control Board and must comply by such conditions as may be imposed by the Pollution Control Board. It is open to the Pollution Control Board to take such action as may be necessary to enforce the conditions imposed by them under the relevant statutes.

The appeals shall stand disposed of accordingly. No costs.

COMBINED SKETCH SHOWING THE SURVEY NOS. 204, 205, 206, 207, 208, 209, 244, 245, 211 AT JEMMIN PUTHUR REVENUE VILLAGE AND VETTUR PANCHAYAT, MADHURANTHIGAM TALUK, THIRUPORUR PANCHAYAT UNION, CHENGALPATTU DISTRICT.



BEFORE THE NATIONAL
GREEN TRIBUNAL (SZ) AT
CHENNAI

Appeal No.10 of 2023(SZ)

In the matter of

Ramchandrababu

--Appellant

Vs

1.The Union Of India,
Rep by its Secretary,
New Delhi & other.

--Respondents

Additional Documents

M/s. R.Rajarajan

R.Dilli kumar

M.Manohar

COUNSEL FOR APPELLANT