

BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE, CHENNAI

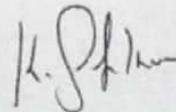
Original Application No.104 of 2021

K.Ramsingh
S/o.Kandasamy,
No.3/93, South Street,
Theertharappapuram post,
Alangulam Taluk, Tenkasi District

.....Applicant

VS

1. State Environment Impact Assessment Authority,
Government of Tamilnadu,
3rd Floor, Panagal Maligai,
No.1 Jennis Road, Saidapet,
Chennai, Tamilnadu-600 015.
2. The Chairman,
Tamilnadu Pollution Control Board,
No.76, Mount Road,
Chennai. 32
3. The Deputy Director,
Dep of Geology and Mining,
Collectorate, Kokkirakulam,
Tirunelveli.
4. The District Collector,
Collectorate,
No.82, Railway Feeder Road,
Tenkasi.
5. The Superintending Engineer,
TANGEDCO, Anna Building,
Thiyagaraya Nagar, Tirunelveli 627 011
6. The Assistant Engineer,
Distribution- TANGEDCO,
Servaikkaranpatti, Kadayam,
Tenkasi District.
7. N.Mohamed Mahaboob,
Proprietor- AP Nadanoor Rough Stone,
Jelly and Gravel Quarry,
No.8/142, Main Road,
Pottal Pudur, Ambasamudram Taluk,
Tenkasi.
8. K.Sasikumar,
S/o.V.Kalangiam,
Proprietor- AP Nadanoor Rough Stone,



Jelly and Gravel Quarry,
No.9/303, Nainar Koil Street,
Velappanaiyeripaatti, Thippanampatti Village,
Tenkasi District- 627 423

8th RESPONDENT REPLY TO THE COUNTER FILED BY THE

1ST RESPONDENT

1. I submit that; this Respondent had filed the preliminary objection on 22.09.2021 and had filed reply objections on 24.11.2021 and had also filed objections to the counter objections of the applicant on 22.12.2021. It is humbly requested that the said objections can be treated part and parcel of this reply to counter filed by the 1st Respondent.
2. It is submitted that, para 1 to 4 are all factual aspects and para 5 and 6 not concerned with this respondent and para 7 to 14, deals with factual aspects and not concerned with this Respondent.
3. With regards to para 15 of the counter affidavit, I submit that, as per the notification and as clarified by the **Ministry of Environment and Forests in their notification in S.O.No.141(E) dated 15.01.2016, the Government of India had issued guidelines for grant of Environmental Clearance in respect of mining leases of minor mineral. It is clearly indicated in the said notification that mining projects with mining lease area equal to 5 Hec upto less than 25 Hec have been categorised as B2 category.**
4. It is submitted that, **as per Para 3(A) sub-para (c) point (iv) of the said notification, the B2 category projects pertaining to mining of minor mineral of lease area less than or equal to 5 Ha shall require environmental clearance from DEIAA** and the DEIAA shall base its decision on the recommendations of DEAC as constituted.
5. It is submitted that, Item no.4 of the Appendix-XI of the said notification envisages that, the E.C shall be granted to the individual project proponent as well as individual lease holder clusters on use of same Environment

H. S. Kumar

Impact Assessment or Environment Management Plan for application of Environment Clearance. It is further submitted that, a schematic representation of requirement on Environmental Clearance of Minor Minerals including cluster situation is described in Appendix-XI (8) of the said notification which envisages that DEIAA is the competent Authority for grant of E.C proposal of minor minerals mining on the basis individual mining lease for Ha.0.00 to Ha.5.00. **It is most humbly submitted that, as per the existing rules and guidelines,** I had obtained Environmental Clearance from the District Environment Impact Assessment Authority vide Lr.No.DEIAA/TNV/TN/34960/2017 dated 22.02.2018 and had obtained all necessary licenses for quarrying from the competent authorities.

6. I submit that, adhering the above said notification and as per the directions of this Hon'ble Tribunal and as per the prevailing acts and rules for mining minor minerals, I had obtained Environmental Clearance from the District Environment Impact Assessment Authority vide Lr.No.DEIAA/TNV/TN/34960/2017 dated 22.02.2018

Therefore, in the view of the above, it is most humbly prayed before this Hon'ble Tribunal to record the submissions stated may be pleased to dismiss this original application and pleased to pass such orders deem fit and render justice.

Solemnly affirmed at Chennai, on this) the 10th day of January, 2022,) and signed his name in my presence.)

K. Sasikumar
BEFORE ME,
R. Periyasami
Ms. Srinivasan
ADVOCATE CHENNAI, B.E., B.L.,
 ADVOCATE - Ms.3774/2014
 3rd Floor, Canara Bank Building,
 No.125/257, Angappa Naicken Street,
 Chennai - 600 001. Cell : 9829453516

VERIFICATION

I, K.Sasikumar, Son of V.Kalangiyam, Hindu, aged about 38 years, residing at No.9/303, Nainar Koil Street, Velappanaiyeripatti, Thippanampatti Village, Ambasamudram Taluk, Tenkasi District do hereby verify the above said 1-6 paragraphs to be true to the best of my knowledge on material facts.

K. Sasikumar
COUNSEL FOR RESPONDENT

K. Sasikumar
RESPONDENT

**BEFORE THE HON'BLE
NATIONAL GREEN TRIBUNAL
(SZ)
CHENNAI
OA.NO.104 OF 2021**

RAMSINGH

...APPLICANT

VS

STATE ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY AND
7 OTHERS.

....RESPONDENTS

**8TH RESPONDENT REPLY TO THE
COUNTER AFFIDAVIT OF 1ST
RESPONDENT**

M/s. S.V. VIJAY PRASHANTH M.L

S.V.BANUPRIYA

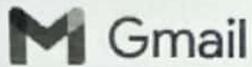
N.NAJUMUNISHA

A.S.SHANMUGA RAJAN

COUNSEL FOR 8TH RESPONDENT

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Shanmuga Rajan <advshan3373@gmail.com>

NGT OA 104 of 2021 Reply filed by 7th and 8th Respondent to the counter of 1st Respondent

1 message

Shanmuga Rajan <advshan3373@gmail.com>

Mon, Jan 10, 2022 at 4:34 PM

To: cedtin@tnebnet.org, collr-lks@gov.in, "lingaram74@gmail.com" <lingaram74@gmail.com>, tnpqb-chn@gov.in, dshanmuganathan@outlook.com, mstnseiaa@yahoo.com, minetnv@gmail.com
Cc: registrar-ngtisz@gov.in

Respected sir/Madam,

Original Application No.104 of 2021 - filed before Hon'ble National Green Tribunal South Zone.

In the above referred matter, the 7th and 8th Respondent in Original Application, filing a reply to the 1st Respondent Counter.

The Reply counter is annexed herewith.

Kindly receive and acknowledge the same.

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A.S.SHANMUGA RAJAN

Legum Baccalaureate,

CHENNAI.

2 attachments **OA 104 7R reply to 1R.pdf**
586K **OA 104 8R Reply to 1R.pdf**
475K