

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
SOUTHERN ZONE AT CHENNAI**

**Application No.118 of 2022**

**A. SUNDARAM**

S/o. Agatheeshwara Gounder  
No.9/98, Veerappa Goundanur,  
Palarpathi Post,  
Kinnathukadavu  
Coimbatore – 642 109.

**.... Applicant**

/Versus/

**1. The Member Secretary**

State Environment Impact Assessment Authority – Tamilnadu  
3<sup>rd</sup> Floor, Panagal Maligai,  
No. 1, Jeenis Maligai, Saidapet, Chennai – 600 015

**2. The Director**

Geology and Mining Department,  
Industrial Estate, Guindy  
Chennai – 600 032

**3. The Assistant Director**

Department of Geology and Mining  
District Collector Office Building  
Coimbatore – 641 018

**4. The District Collector**

Office of the District Collector  
Coimbatore – 641 018

**5. R. Muralidharan**

Perumbathi  
Zameen Kaliyapuram Post,  
Pollachi Taluk,  
Coimbatore – 642 001.

**6. The Member Secretary**

Tamil Nadu Pollution Control Board,  
No.76, Anna Salai, Guindy,  
Chennai – 600 032

**.... Respondent(s)**

  
**Member Secretary**  
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY - TN  
Panagal Maligai, No.1, Jeenis Road,  
Saidapet, Chennai - 15

**COUNTER AFFIDAVIT FILED BY THE FIRST RESPONDENT ON BEHALF  
OF SEIAA, TAMIL NADU**

I, Thiru. Deepak S. Bilgi, I.F.S., S/o Mr. Siddappa, aged about 43 years, working as Member Secretary, State Level Environment Impact Assessment Authority, Tamil Nadu (SEIAA-TN) having office at Third Floor, Panagal Building, Saidapet, Chennai - 600 015, solemnly affirm and sincerely state as follows:

1. It is respectfully submitted that; I am the 1<sup>st</sup> Respondent / Member Secretary, SEIAA-TN, herein and as such I am well acquainted with the facts and the circumstances of the case from the records available in the office.
2. It is respectfully submitted that; at the outset, I deny the averments stated in the writ petition as false except those that are specifically admitted hereunder and put the applicant to strict proof of the same.
3. It is respectfully submitted that; the project proponent, Thiru. R. Muralidharan/5<sup>th</sup> Respondent, submitted his application of proposal for obtaining grant of Environment Clearance through Form-I, Pre-Feasibility report vide Proposal No. SIA/TN/MIN/33330/2015, submission dated 26.11.2015 for S.No.311/1A(P) at Puravipalayam Village, Pollachi Taluk, Coimbatore District, Tamilnadu.
4. It is respectfully submitted that; the precise area communication letter given by the District Administration vide Lr. Rc.No.714/2015 (Mines) dated 10.10.2015. Also mining plan has been approved by the competent authority vide Lr. Rc.No.633/2015 (Mines) dated 27.10.2015.
5. It is respectfully submitted that; the project proposal was placed in the 79<sup>th</sup> SEAC meeting held on 06.08.2016. Based on the presentation made and the documents furnished by the project proponent, SEAC decided to recommend the project proposal for grant of Environment Clearance and accepted the proposal on 25.01.2017, subject to the following conditions, in addition to normal conditions stipulated by MOEF & CC: -
  - The distance between the mining area and Interstate border, wherever necessary.
  - The distance between the mining area and the boundary of Western Ghats, Prohibited area wherever necessary.

  
Member Secretary  
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY - TN  
Panagal Maligal, No.1, Jeeris Road,  
Saidapet, Chennai - 15

- One-month base line data be collected to ensure the pollution within the limits.

**The following should be incorporated as conditions in EC**

- I. Free silica test should be conducted and reported.
- II. Air Sampling at Intersection point should be conducted and reported.
- III. Bunds to be provided at the boundary of the project site.
- IV. Ground water quality monitoring should be conducted once in 3 Months.
- V. Transportation of the quarried materials shall not cause any hindrance to the Village people/Existing Village road.
- VI. Rainwater shall be pumped out Via Setting Tank only.
- VII. The project proponent shall undertake plantation/afforestation work by planting the native species on all side of the lease area.
- VIII. At least 10 neem trees should be planted around the boundary of the quarry site.
- IX. Floor of excavated pit to be levelled and sides to be sloped with gentle slope in the mine closure phase.
- X. Earthen bunds and barbed wire fencing around the pita with green belt all along the boundary shall be developed and maintained
- XI. The Project Proponent shall ensure a minimum of 2.5% of the annual turnover will be utilized for the CSR Activity.
- XII. The Project Proponent shall provide solar lighting system to the nearby villages.
- XIII. The Project Proponent shall comply the mining and other relevant rules and regulations where ever applicable.

- XIV. The mined-out pits should be backfilled where warranted and area should be suitably landscaped to prevent environmental degradation. The mine closure plan as furnished in the proposal shall be strictly followed with back filing and tree plantation.
- XV. Safety distance of 50m has to be provided In case of railway, reservoir, canal/odal
- XVI. As per MoEF&CC, Got, Office Memorandum dated 30.03.2015, prior clearance from Forestry & Wild Life angle including clearance from obtaining committee of the National Board for Wild life as applicable shall be obtained before starting the quarrying operation, If the project site is located within 10KM from National Park and Sanctuaries
- XVII. Safety equipment's to be provided to all the employees.
- XVIII. The quarrying activity shall be stopped if the entire quantity Indicated in the Mining plan quarried even before the expiry of the quarry lease period and the same shall be mentored by the District Authorities.
- XIX. Name board shall be displayed in case of existing quarries with details of Proponent lease period extent, etc.

Environmental Clearance may be considered for the following projects subject to incorporating the additional conditions in the EC

- a. The Assistant/Deputy Director, Department of Geology & mining shall ensure that the proponent has engaged the blaster with valid blasting license/certificate obtained from the competent authority before execution of mining lease.
- b. The proponent shall furnish the Baseline data covering the Air, Water, Noise and land environment quality for the proposed quarry site before execution of mining lease.
- c. The proponent shall erect the pillars in accordance with the Rules for depicting GPS details in the earmarked boundary of the quarry site to monitor electronically before execution of mining.

- d. The proponent has to provide insurance protection to the workers in the case of existing mining or provide the affidavit in case of fresh lease before execution of mining lease.
- e. Permission may be obtained from the competent authority for using heavy earth machineries wherever required.
- f. The proponent has to provide/maintain (existing quarry) proper bench formation during mining operation.
6. It is respectfully submitted that, the above said proposal seeking grant of Environment Clearance was placed in the 219<sup>th</sup> State Level Environment Impact Assessment Authority Meeting held on 14.06.2017. Discussed in detail, the authority decided to recommend the project with imposing the following condition.
- I. The project proponent has to obtain NOC from Deputy Director/DFO and produce to District Collector before the mining lease is executed.
7. It is respectfully submitted that; based on the presentation made, documents furnished and the recommendation of the SEAC for grant of EC to the proponent, the Environment Clearance was issued to the proponent by State Environment Impact Assessment Authority vide Lr. No. SEIAA-TN/F.No.4671/1(a)/EC.No.3894/2016, dated 14.06.2017.

It is therefore humbly prayed that this Hon'ble National Green Tribunal Court, South Zone, may be pleased to record the above-mentioned facts and pass appropriate orders as this Hon'ble NGT(SZ) may deem fit and proper in this case and thus render justice.

Solemnly affirmed at Chennai  
On this 19<sup>th</sup> day of December 2022  
& Signed his name in my presence.

  
Member Secretary  
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY - TN  
Panagal Malligal, No.1, Jeenla Road,  
Saidapet, Chennai - 15

**BEFORE ME**  
Attested Officer

  
Assistant Environmental Engineer  
State Level Environment Impact Assessment Authority-Tamilnadu  
Third Floor, Panagal Malligal  
Saidapet, Chennai - 600 015