

**BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI**

**Original Application No.127 of 2021(SZ)**

IN THE MATTER OF :

P. Nanthagopal (M/A 34 years),  
S/o.Pazhani Muruvappan,  
110, Kunnavakkam Village,  
Nellithoppu Street,  
Pattaraikazhani Post,  
Thirukazhukundram Taluk,  
Chengalpattu, Tamil Nadu-603 102.  
Phone No.96291 32605,  
Email.ID:meganathan688733@gmail.com

**... Applicant**

-Vs-

1. The Commissioner,  
Geology and Mining Department,  
Government of Tamil Nadu,  
Alandur Road, Guindy,  
Industrial Estate, Guindy,  
Chennai-600 032.  
Phone No.044-22501874.  
Email.ID:cgmchennai32@gmail.com
2. The District Collector,  
Collectorate, GST Road,  
Chengalpattu District,  
Chengalpattu- 603 001.  
Phone No.044-27427412  
Email.ID: collr-cpt@nic.in
3. The Deputy Director,  
Geology and Mining Department,  
Chengalpattu District,  
Chengalpattu-603 001.  
Phone No.044-27237104.  
Email.ID.minekanchi@gmail.com.

  
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1

  
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1/19

4. The Tahsildar,  
VOC Nagar, Thirukazhukundram Taluk,  
Chengalpattu District,  
Chengalpattu – 603 001.  
Phone No.044-27432318.  
Email.ID: tahcpt.tnkpm@nic.in.
  
5. The Member Secretary,  
Tamil Nadu Pollution Control Board,  
No.76, Mount Road,  
Guindy, Chennai-600 032.  
Phone No.044-22353134-139.  
Email.ID:tnpcb-chn@gov.in.
  
6. The District Environmental Engineer,  
Tamil Nadu Pollution Control Board,  
Maraimalai Adigalar Street,  
Next to Municipal Office,  
Kancheepuram District.  
Chennai-603 209.  
Phone No.044-27454422.  
E.Mail.id: tnpcbmmnagar@gmail.com.
  
7. The Chairman,  
State Level Environment Impact Assessment Authority,  
Ground floor, Panagal Building,  
No.1, Jeenis Road, Saidapet,  
Chennai-600 015.  
Phone No.044 24336421.  
E.Mail.ID: mstnseiaa@yahoo.com.
  
8. Tvl.Salem Mines & Aggregates,  
No.9, Nagarathinam Nagar Extension,  
Thiruneermalai Road,  
West Tambaram,  
Chennai – 600 045.  
Phone No: 9443259602  
Email ID: infogeoexploration@gmail.com

...Respondent(s)

  
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2

  
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2/0

## REPORT FILED BY THE FIRST RESPONDENT

I, Thiru. L. Nirmal Raj, I.A.S., S/o. K. Lakshmanaperumal, Hindu, aged about 48 years, working as Director of Geology and Mining, Guindy, Chennai-32 do hereby solemnly affirm and sincerely state as follows:-

I am the 1<sup>st</sup> respondent herein and as such I am well acquainted with the facts and circumstances of the case from the records available in this office. I am filing this report in compliance to the orders passed by this Hon'ble Tribunal on 18.01.2022 in this Original Application.

2) It is respectfully submitted that, this Honble Tribunal, by order dated 14.06.2021 has appointed the Department of Geology and Mining as Nodal Agency and also appointed a Joint Committee comprising of the following Officials and directed to submit a factual as well as action taken report, if there is any violation found:-

- (i) The District Collector, Chengalpattu District, or a Senior Officer not below the rank of Assistant Collector/Sub-Divisional Magistrate as deputed by the District Collector.
- (ii) A Senior Geologist from the office of the Deputy Director of Geology and Mining Department, Chengalpattu.
- (iii) A senior from the Tamil Nadu State Environment Impact Assessment Authority (TN SEIAA).
- (iv) A senior officer from the Tamil Nadu State Pollution Control Board (TNPCB) as deputed by its Chairman.

3) It is further submitted that this Hon'ble Tribunal has directed the Joint Committee to ascertain the following facts:-

- i) *Whether there was any violation of conditions imposed in the environment clearance, Consent and other permissions granted committed by the 8<sup>th</sup> respondent?*

  
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3

  
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- ii) *Whether there was any excess mining done by the 8<sup>th</sup> respondent and, if so what is the quantity of excess mining and the amount of compensation payable apart from royalty and penalty to be imposed.*
- iii) *Whether the pollution control mechanisms have been strictly adhered to by the 8<sup>th</sup> respondent while operating the quarry including user of permitted explosives and timings and if there is any violation, what is the impact of same on environment and the remedial measures to be taken for rectifying the same.*
- iv) *Whether there was any impact on the neighboring property owners on account of the alleged violations and pollutions and said to have been caused by the 8<sup>th</sup> respondent.*
- v) *The committee is also directed to ascertain the nature of damage caused to environment and assess the environmental compensation to be fixed against the establishment of 8<sup>th</sup> respondent for the violations and also damage caused to the environment on account of such activities.*

4) It is further submitted that, in compliance to the orders of this Hon'ble Tribunal, the District Collector, Chengalpattu, the Tamil Nadu State Environment Impact Assessment Authority and the Chairman Tamil Nadu Pollution Control Board have been requested by this respondent to nominate an officer from their Department as a member in the Joint Committee for conducting field inspection over the subject area vide Lr.No.3883/MM1/ 2021 dated 16.07.2021.

5) It is further submitted that, the District Collector, Chengalpattu has nominated Tmt.K.Shaghitha Parveen, Revenue Divisional Officer, Chengalpattu vide Rc.No.8218/ Mines/2021 dated 29.06.2019 on behalf of the District Collector, Chengalpattu as a member of the Joint

  
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Committee for conducting inspection and submit a detailed report in respect of the subject quarry.

6) It is further submitted that the State Level Environment Impact Assessment Authority vide letter No.SEIAA/Tamil Nadu/NGT/O.A.No.127 of 2021/2021-1 dated 22.07.2021 has deputed Tmt.N.R.Kamala, Assistant Environment Engineer, SEIAA Tamil Nadu, Chennai as a member of the Joint Committee.

7) It is further submitted that the Member Secretary, Tamil Nadu Pollution Control Board vide letter No.TNPSC/LAW/LA-III/NGT/013348/2021 dated 14.07.2021 has nominated D.Vasudevan, District Environmental Engineer, Kanchipuram District as a member of the Joint committee.

8) It is further submitted that Thiru K.Vijayaragavan, Assistant Director of Geology and Mining, Chengalpattu District has been nominated as a member of the Joint Committee vide 1<sup>st</sup> respondent letter No.3883/MM1/2021 dated 15.09.2021. The Assistant Director of geology and Mining, Chengalpattu has also been directed to provide necessary assistance for filing inspection report as per the order of this Hon'ble Tribunal.

9) It is further submitted the nominated members of the joint Committed are as follows:-

1. Tmt.K.Shaghitha Parveen, Member  
Revenue Divisional Officer,  
Chengalpattu.
2. Er.D.Vasudevan, Member  
District Environmental Engineer  
Tamil Nadu Pollution Control Board,  
Kanchipuram District.

  
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3. Thiru.K.Vijayaragavan, Member  
Assistant Director,  
Geology and Mining,  
Chengalpattu.
4. Tmt.N.R.Kamala, Assistant Member  
Environment Engineer,  
SEIAA Tamil Nadu, Chennai

10) It is further submitted that the Joint Committee had inspected the area granted under quarry lease to the 8<sup>th</sup> respondent on 16.09.2021 and filed its report before this Hon'ble Tribunal on 25.10.2021.

11) The Joint Committee Report reveals that 5 quarry leases were granted for quarrying rough stone and gravel in Kunnavakkam village, Thirukazhkundarm taluk from the year 2006 onwards. The details of quarry leases granted in Kunnavakkam village are tabulated below.

Sl. No	Name of the lessee and address	SF.Nos.	Extent (in hect.)	Lease granting order & date	Lease Period
1.	M.Ramachandiran, No.7, Johnson Street, Tambaram West, Chennai-45.	176/1	3.00.0	Proceedings of the District Collector in Rc.1917/2005/Q1 Dated 7.2.2006	07.02.2006 to 06.2.2011
2.	P.Janardhan Reddy, S/o.Ranga Reddy, No.7, Vetri Nagar, 2 <sup>nd</sup> Street, West Tambaram, Chennai-5.	175/1,175/2B, 175/3, 175/8B, 175/9B, 175/10B, 175/11B, 175/12	3.00.0	Proceedings of the District Collector in Rc.80/2010/Q1 Dated 24.3.2010.	24.03.2010 to 23.03.2015
3.	P.Janardhan Reddy, S/o.Ranga Reddy,No.7, Vetri Nagar, 2 <sup>nd</sup> Street, West Tambaram, Chennai-5.	176/1(P)	3.00.0	Proceedings of the District Collector in Rc.597/2010/Q1 dated 15.07.2011	15.07.2011 to 14.07.2016
4.	Tvl.Salem Mines and Aggregates, No.9,Nagarathinam Extension, Thiruneermalai, West Tambaram, Chennai-45.	175/1, 175/2B, 175/3,175/8B, 175/9B, 175/10B, 175/11B, 175/12, 176/2A, 176/2B	3.13.00	Proceedings of the District Collector in Rc.287/2015/Q2 Dated 26.2.2016	26.02.2016 to 25.2.2021

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5.	Tvl.Salem Mines and Aggregates, No.9,Nagarathinam Extension, Thiruneermalai, West Tambaram, Chennai-45.	176/1A	3.04.00	Proceedings of the District Collector in Rc.003/Q2/2018 dated 19.11.2018	19.11.2018 to 18.11.2023.
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12) It is further submitted that the violations pointed out in the report of Joint Committee in respect of the area granted under quarry lease to the 8<sup>th</sup> respondent in S.F.No.176/1A of Kunnavakkam village are extracted below (**Quarry lease-I**).

- i. As per the lease deed conditions, the required safety distance of 300 metres have not been provided to the adjacent Grama Natham Poramboke located in S.No.178, 177/4 of Kunnavakkam village and quarrying have been carried out in the safety zone area.
- ii. The lessee has not maintained the 5m height and width of benches with 45 degree slope from horizontal in order to avoiding untoward incident as per regulation 106(2)(a) of the Metalliferous Mines Regulations 1961 and also the lessee has not carried out the quarrying operations in a skilful, scientific and systematic manner, which violates the safety precautions of the labourers.
- iii. The lessee has not monitored the quality of the ground water once in 3 months and not conducted any air sampling survey in and around the quarry site as mandated by DEIAA. The lessee has not done any green belt development around the boundry of the quarry site, as mandated for preservation of environment and ecology of the area as per rule 36 (5) (C) of Tamil Nadu Minor Mineral Concession Rules 1959.
- iv. As per the pit measurements, it is estimated that a quantum of 8,10,990 Cbm of rough stone have been quarried within the lease hold area.
- v. Mining operation is allowed up to a depth of 62m (below ground level) as per the approved mining plan / environmental clearance. Whereas, the lessee has carried out the mining

  
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7

  
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operation to a maximum depth of 98 metres i.e. beyond the approved depth of 62 meters over an extent of 1.99.0 hectares out of 3.04.0 hectares and removed 507348 Cbm of rough stone for an average depth of 25.5 meters.

13) It is further submitted that the violations pointed out in the report of the Joint Committee in respect of the area granted under quarry lease to the 8<sup>th</sup> respondent in S.F.No.175/1, 175/2B, 175/3, 175/8B, 175/9B, 175/10B, 175/11B, 175/12, 176/2A and 176/2B of Kunnavakkam village are extracted below (**Quarry lease-II**).

- i) As per lease deed conditions, the required safety distance of 50meters have not been provided to the adjacent Naduvakkarai Eri and quarrying have been carried out in the safety zone area.
- ii) The lessee has not maintained the 5m height and width of benches with 45 degree slope from horizontal in order to avoiding untoward incident as per regulation 106(2)(a) of the Metalliferous Mines Regulations 1961 and also the lessee has not carried out the quarrying operations in a skilful, scientific and systematic manner keeping in view of proper safety of the labourers.
- iii) The lessee has not monitored the quality of the ground water once in 3 months and not conducted any air sampling survey in and around the quarry site as per Environment Clearance conditions. The lessee has not done any green belt development around the boundry of the quarry site, as mandated for preservation of environment and ecology of the area as per rule 36 (5) (C) of Tamil Nadu Minor Mineral Concession Rules 1959.
- iv) Mining operation is approved up to a depth of 65m (below ground level) as per the modified approved mining plan / environmental clearance. Whereas the lessee has carried out the mining operation to a maximum depth of 92 metres i.e. beyond the approved depth over an extent of 0.65.10 hectares out of 3.13.0 hectares.

  
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- v) As per the pit measurements, it is estimated that a quantum of 1,37,509 Cbm of Gravel and 5,89,443 Cbm of Rough stone had been removed within the lease hold area.
- vi) The lessee has carried out quarrying operations beyond the approved depth of 65 meters and removed 96970 Cbm of rough stone to an average depth of 14.8 meters from the area granted under quarry lease.

14) It is further submitted that the details of quantity of rough stone permitted for production as per the Approved Mining Plan / Environmental Clearance, the quantity of Rough stone / Gravel for which transport permits obtained from the Office of the Assistant Director of Geology and Mining, Chengalpattu and the actual quantum of minerals quarried and removed within the lease hold areas, as per the assessment carried out in quarry lease-I & II of Kunnavakkam village of Thirukazhikundram Taluk are tabulated as follows :-

Sl. No	Lease	Quantum of mineral permitted for production in the approved mining plan (in Cbm)		Quantum of minerals for which transport permits obtained (in Cbm)		Actual quantity of minerals quarried and removed (in Cbm)		Quantum of Mineral quarried and transported unlawfully (in Cbm)	
		Gravel	Rough stone	Gravel	Rough stone	Gravel	Rough stone	Gravel	Rough stone
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)=(6-4)	(9)=(7-5)
1	Lease-I	Nil	5,35,220	Nil	1,52,160	Nil	8,10,990	Nil	6,58,830
2	Lease-II	47,700	8,70,421	Nil	8,70,420	1,37,509	5,89,443	1,37,509	-2,80,977
<b>Total</b>		<b>47,700</b>	<b>14,05,641</b>		<b>10,22,580</b>	<b>1,37,509</b>	<b>14,00,433</b>	<b>1,37,509</b>	<b>3,77,853</b>

15) It is further submitted that the details of encroachment and illicit quarrying carried out in the non-leased out area as pointed out in the report of the Joint Committee are extracted below.

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- i. The lessee has encroached and indulged in illegal quarrying operations in the adjacent patta land bearing S.F.Nos.176/1B (Part) over an extent of 1.00.0 hect. and a quantity of 42,428 Cbm of gravel and 35,6870 Cbm of rough stone was quarried and transported illegally and thereby the lessee contravened the sub section (1) & (1A) of Section 4 of Mines and Minerals (Development and Regulation) Act, 1957.
- ii. The lessee has also encroached and indulged in illegal quarrying operations in the adjacent patta land bearing S.F.Nos.174/2D over an extent of 0.22.0 hectare and a quantity of 23,953 Cbm of gravel was quarried and transported illegally and thereby the lessee contravened the sub section (1) & (1A) of Section 4 of Mines and Minerals (Development and Regulation) Act, 1957.
- iii. Dumping of gravel was noticed in the southern side i.e. in the non-lease hold area in S.F.No.176/B. it is estimated that a quantum of 23,702 Cbm of gravel was dumped.

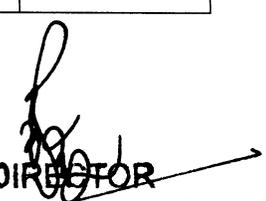
16) It further submitted that the details of quantity of minerals illegally mined and transported by the 8<sup>th</sup> respondent in the lease hold area and in the adjoining non-leased out area in Kunnavakkam village as reported by the Joint Committee are tabulated below.

**Details of quantity of minerals quarried and transported unlawfully/illegally**

Sl. No.	S.F.Nos.	Extent (in Hec.)	Quantum of the Mineral Illegally quarried (within the lease hold area)		Quantum of the Mineral Illegally quarried (Outside the lease hold area)	
			Gravel (in Cbm)	Rough stone (in Cbm)	Gravel (in Cbm)	Rough stone (in Cbm)
1.	Lease – I	3.04.00	Nil	6,58,830	-	-
2.	Lease – II	3.13.00	1,37,509	-2,80,977	-	-
3	176/1B (P)	1.00.00	-	-	42,428	3,56,870
4	174/2D	0.22.50	-	-	23,953	Nil
<b>TOTAL</b>			<b>1,37,509</b>	<b>3,77,853</b>	<b>66,381</b>	<b>3,56,870</b>

  
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10

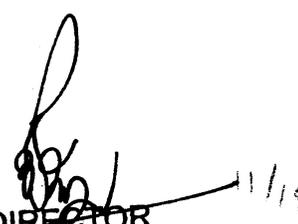
  
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17) It is further submitted that as per the Central Pollution Control Board guidelines, Environmental Compensation shall be compensated accordingly, it was estimated that a sum of Rs.58,75,000/- has to be remitted by the 8<sup>th</sup> respondent towards Environmental Compensation under Section 5 of Environmental Protection Act, 1986.

18) It is further submitted that the recommendations made by the Joint Committee are extracted below:-

- i) For the illegal quarrying and transportation of 66,381 Cbm of Gravel and 3,56,870 Cbm of Rough stone from the non-lease hold areas of patta lands in SF.No.176/1B and 174/2D of Kunnavakkam village, Thirukazhikundram Taluk and for the unlawful quarrying and removal of 1,37,509 Cbm of Gravel and 3,77,583 Cbm of Rough stone from the lease hold area, necessary action has to be initiated by the concerned authority, as per 36-A of Tamil Nadu Minor Mineral Concession Rules, 1959.
- ii) For the violations of lease deed conditions, penalty action may be imposed in respect of such breach, the lease may also cancel the lease as per Rule 36 (5) (h) of Tamil Nadu Minor Mineral Concession Rules, 1959 after providing an opportunity of hearing.
- iii) At present, further quarrying in the subject area is endanger to the life of the quarry workers. Further quarrying may be allowed only after taking remedial measures and getting concurrence from the Director General of Mines Safety and the District Collector.
- iv) The lessee shall deposit Environmental Compensation. The amount shall be used for restoration of environment and for necessary remedial and preventive measures with regard to environmental matters.

  
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19) It is further submitted that based on the recommendations of the Joint Committee, the Revenue Divisional Officer, Chengalpattu has been requested by the District Collector, Chengalpattu to initiate appropriate action against the 8<sup>th</sup> respondent for the quantum of 66,381 Cbm of gravel and 3,56,870 Cbm of rough stone mined and transported in the non-leased out area in S.F.No.176/1B and 174/2D of Kunnavakkam village and also for the excess removal of 137509 Cbm of gravel and 377583 Cbm of rough stone from the lease hold area.

20) It is further submitted that based on the recommendations of the Joint Committee, orders have been passed by the District Collector, Changalpattu vide proceedings Rc.No.3/Q2/2018, dated 29.10.2021 suspending the quarry operations in the area granted under quarry lease to the 8<sup>th</sup> respondent over an extent of 3.04.0 hectares of patta land in S.F.No.176/1A of Kunnavakkam village, Thirukazhukundar taluk, Chengalpattu district under clause (ii) of sub rule (10) of Rule 41 of Tamil Nadu Minor Mineral Concession Rules, 1959.

21) The report submitted by the Joint Committee was carefully examined in detail and the following are observed:-

- i. The report submitted by the Joint Committee revealed that 1,37,509 Cbm of gravel and 3,77,853 Cbm of rough stone had been mined and transported from the lease granted area in quarry lease-I & II without remitting seigniorage fee and without obtaining transport permits from the office of the Assistant Director of Geology and Mining, Kancheepuram/Chengalpattu.

  
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- ii. The report submitted by the Joint Committee revealed that 8,10,990 Cbm of Rough stone had been mined and transported from the area granted under quarry lease to the 8<sup>th</sup> respondent over an extent of 3.04.0 hecatres of patta land in S.F.No.176/1A of Kunnavakkam Village (**Lease-I**). The Joint Committee report further revealed that the 8<sup>th</sup> respondent had obtained transport permits for transport of 1,52,160 Cbm of rough stone only from the area granted under quarry lease. Therefore, it was estimated that a balance quantum of 6,58,830 Cbm of rough stone had been mined and transported from the lease hold area without obtaining transport permits and without remitting due seigniorage fee.
- iii. It is further stated in the Joint Committee report that as against the quantity of 8,70,420 Cbm of rough stone for which transport permits were obtained by the 8<sup>th</sup> respondent in respect of the area granted for quarry lease over an extent of 3.13.0 hectares of patta lands in S.F.No.175/1, 175/2B, 175/3, 175/8B, 175/9B, 175/10B, 175/11B, 175/12, 176/2A and 176/2B of Kunnavakkam Village (**Lease-II**), a quantum of 5,89,443 Cbm of rough stone had been mined and transported by the 8<sup>th</sup> respondent.
- iv. It is further noticed from the report submitted by the Joint Committee that a quantity of 2,80,977 Cbm of rough stone was deducted from the quantum of 6,58,830 Cbm of rough stone un-lawfully mined and transported from the area granted under quarry lease-I and it was arrived that 3,77,853 Cbm of rough stone had been mined and transported by the

  
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Guindy, Chennai - 600 032. 12/19

8<sup>th</sup> respondent in respect of both quarry lease-I & quarry lease-II.

22) In this connection, it is submitted that on examination of the report submitted by the Joint Committee, the following points are placed for consideration of this Hon'ble Tribunal:-

- i. It was reported by the Joint Committee that five quarry leases were for quarrying rough stone and gravel in Kunnvakkam village, Thirukazhukundram taluk from the year 2006 onwards. It appears that the following three quarry leases granted are pertaining to one and the same area in Kunnvakkam village.

Sl. No	Name of the lessee and address	SF.Nos.	Extent (in hect.)	Lease granting order & date	Lease Period
1.	M.Ramachandiran, No.7, Johnson Street, Tambaram West, Chennai-45.	176/1	3.00.0	Proceedings of the District Collector in Rc.1917/2005/Q1 Dated 7.2.2006	07.02.2006 to 06.2.2011
2.	P.Janardhan Reddy, S/o.Ranga Reddy,No.7, Vetri Nagar, 2 <sup>nd</sup> Street, West Tambaram, Chennai-5.	176/1(P)	3.00.0	Proceedings of the District Collector in Rc.597/2010/Q1 dated 15.07.2011	15.07.2011 to 14.07.2016
3.	Tvl.Salem Mines and Aggregates, No.9,Nagarathinam Extension, Thiruneermalai, West Tambaram, Chennai-45.	176/1A	3.04.00	Proceedings of the District Collector in Rc.003/Q2/2018 dated 19.11.2018	19.11.2018 to 18.11.2023.

- ii. It is not known whether transport permits issued to the former lessee Thiru. M. Ramachandran in respect of the area granted under quarry lease in S.F.No.176/1 for the period from 07.02.2006 to 06.02.2011 were taken into account before arriving the actual quantum of rough stone

  
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14

  
DIRECTOR  
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mined and transported by the respondent in respect of the area granted under quarry lease in S.F.No.176/1A.

- iii. Similarly, it is not known whether the quantity for which transport permits obtained by Thiru. P. Janarthan Reddy for the period from 15.07.2011 to 14.07.2016 in respect of the area granted for quarry lease in S.F.No.176/1(P) of Kunnavakkam village were taken into account by the Joint Committee before arriving the quantum of rough stone unlawfully mined and transported by the 8<sup>th</sup> respondent in respect of the area granted under quarry lease in S.F.No.176/1A of Kunnavakkam village.
- iv. Similarly, the following quarry leases granted to one Thiru.P. Janarthan Reddy and to the 8<sup>th</sup> respondent in kunnnavakkm village appears to be almost one and the same area.

Sl. No	Name of the lessee and address	SF.Nos.	Extent (in hect.)	Lease granting order & date	Lease Period
1.	P.Janardhan Reddy, S/o.Ranga Reddy, No.7, Vetri Nagar, 2 <sup>nd</sup> Street, West Tambaram, Chennai-5.	175/1,175/2B, 175/3, 175/8B, 175/9B, 175/10B, 175/11B, 175/12	3.00.0	Proceedings of the District Collector in Rc.80/2010/Q1 Dated 24.3.2010.	24.03.2010 to 23.03.2015
2.	Tvl.Salem Mines and Aggregates, No.9,Nagarathinam Extension, Thiruneermalai, West Tambaram, Chennai-45.	175/1, 175/2B, 175/3, 175/8B, 175/9B, 175/10B, 175/11B, 175/12, 176/2A, 176/2B	3.13.00	Proceedings of the District Collector in Rc.287/2015/Q2 Dated 26.2.2016	26.02.2016 to 25.2.2021

- v. It is not known whether the quantity for which transport permits obtained by Thiru. P. Janarthan Reddy for the period from 24.03.2010 to 23.03.2015 in respect of the

area granted for quarry lease in S.F.No.175/1, 175/2B, 175/3, 175/8B, 175/9B, 175/10B, 175/11B and 175/12 of Kunnavakkam village were taken into account by the Joint Committee before arriving the quantum of rough stone unlawfully mined and transported by the 8<sup>th</sup> respondent in respect of the area granted under quarry lease in S.F.No. 175/1, 175/2B, 175/3, 175/8B, 175/9B, 175/10B, 175/11B, 175/12, 176/2A and 176/2B of Kunnavakkam village.

- vi. At the time of grant of lease to the 8<sup>th</sup> respondent in S.F.No.176/1A of Kunnavakkam village by the 2<sup>nd</sup> respondent on 19.11.2018, the depth of the quarry was 32 meters. As per the approved mining plan, quarrying was permitted up to a depth of 62 meters only. Whereas, the report submitted by the Joint Committee revealed that quarrying was carried out by the 8<sup>th</sup> respondent for a maximum depth of 98 meters in violation of the approved mining plan and in violation of the conditions stipulated in the Environmental Clearance issued by the District Environment Impact Assessment Authority.
- vii. It is observed from the map attached to the Joint Committee report pertaining to quarry lease-I that quarrying was carried out for a maximum depth of 98 meters and the quantum of minerals mined and transported for a depth persistence of 98 meters was estimated as 21,53,634 Cbm. It is further observed from the map that quantity of minerals mined and transported up to a depth of 32 meters was estimated as 8,35,296

  
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DIRECTOR  
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Cbm. From the above, it is observed that a total quantity of 13,18,338 Cbm of minerals could have been quarried and transported from a depth of 32 meters to 98 meters by the 8<sup>th</sup> respondent in S.F.No.176/1A of Kunnavakkam village.

viii. Whereas, it was reported by the Joint Committee that 8,10,990 Cbm of rough stone had been quarried and transported by the 8<sup>th</sup> respondent in respect of S.F.No.176/1A of Kunnavakkam village and the details for arriving such quantum of 8,10,990 Cbm of rough stone quarried and removed from lease-I were not provided in the report submitted by the Joint Committee. After re-estimating the actual quantum of minerals mined and transported by the 8<sup>th</sup> respondent in S.F.No.,176/1A of Kunnavakkam village (Quarry lease-I), the quantity of 1,52,160 Cbm of rough stone for which transport permits obtained by the 8<sup>th</sup> respondent could be deducted and thereafter only the actual quantum of rough stone mined and transported by the 8<sup>th</sup> respondent in S.F.No.176/1A of Kunnavakkam village could be arrived.

ix. Apart from that, the deduction of 2,80,977 Cbm of rough stone from the estimated quantum of 6,58,830 cbm of rough stone unlawfully quarried and transported in respect of the lease area-I is incorrect. Therefore, the quantum of 3,77,853 Cbm of rough stone unlawfully quarried and transported by the 8<sup>th</sup> respondent in respect of both quarry lease No. I & II as arrived by the Joint Committee is incorrect and the same has to be reassessed.

- x. The actual quantum of minerals unlawfully mined and transported by the 8<sup>th</sup> respondent in respect of quarry lease -I & II are to be arrived separately by the Joint Committee, after taking into all aspects as discussed above.

23) In view of the above, it is respectfully submitted that the Joint Committee may be directed to submit a revised report after incorporating all the required details and after taking into account of all the points discussed in para 22 above. After submission of revised report by the Joint Committee, the actual quantum of minerals unlawfully mined and transported by the 8<sup>th</sup> respondent in the subject area will come to light for taking further action by the Official respondents against the 8<sup>th</sup> respondent in accordance with the provisions of the Act and Rules.

Under the circumstances stated above, it is respectfully prayed before this Hon'ble Tribunal that the report filed by this respondent may please be taken on record and pass appropriate orders and thus render justice.

Solemnly affirmed at Chengalpattu  
on this 22<sup>nd</sup> day of March 2022  
and signed his name in my presence.

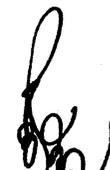
  
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BEFORE ME

  
**JOINT DIRECTOR**  
Department of Geology & Mining  
Guindy, Chennai - 600 032.

## VERIFICATION

I, Thiru. L. Nirmal Raj., I.A.S., working as Director of Geology and Mining do hereby verify that the contents of above report are true to the best of my knowledge through records.

Verified at Chennai on this 22<sup>nd</sup> day of March, 2022.

  
**DIRECTOR** 22/3/2022  
Department of Geology & Mining  
Guindy, Chennai, 600 025 19/19

