

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

-Versus-

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.


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Email.ID.minekanchi@gmail.com.

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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COMPLIANCE REPORT FILED BY THE 1^S RESPONDENT –
THE COMMISSIONER OF GEOLOGY AND MINING

I, Thiru.J.Jayakanthan, I.A.S., S/o.D.Jagadeeswaran, Hindu, aged about 55 years, working as Commissioner of Geology and Mining, Thiru.Vi.Ka.Industrial Estate, Guindy, Chennai-600 032 do hereby solemnly affirm and sincerely state as follows:-

2) I am the 1st respondent herein and as such I am well acquainted with the facts and circumstances of the case from the records available with this office.

3) It is respectfully submitted that in the matter of Original Application Number 127/2021 filed by Thiru P. Nanthagopal, the Hon'ble National Green Tribunal, Southern Zone, Chennai by order dated.14.06.2021 has appointed the Department of Geology and Mining as a Nodal Agency and also appointed a Joint Committee comprising of following officials and directed to submit a factual as well as action taken report if there is any violation found in the S.F.Nos. 175/1, 175/2B, 175/3, 175/8B, 175/9B, 175/10B, 175/11B, 175/12, 175/2A and 175/2B of Kunnavakkam village, Thirukazhukundram Taluk, Chengalpattu District where stone quarrying has run by the 8th Respondent for the purpose of taking appropriate action.

- (i) The District Collector, Chengalpattu District, or a Senior Officer not below the rank of Assistant


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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 (TNPCCB) as deputed by its Chairman.

4) It is respectfully submitted that as directed by the Hon'ble National Green Tribunal, Joint Committee comprising of following officials have been constituted

1. Tmt.K.Shaghitha Parveen,
Revenue Divisional Officer,
Chengalpattu. - Member
2. Er.D.Vasudevan,
District Environmental Engineer
Tamil Nadu Pollution Control Board,
Kanchipuram District. - Member
3. Thiru.K.Vijayaragavan,
Assistant Director,
Geology and Mining,
Member
Chengalpattu. -
4. Tmt.N.R.Kamala,
Member
Assistant Environment Engineer,
SEIAA Tamil Nadu, Chennai -


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5) It is respectfully submitted the subject area has been inspected by the Joint Committee on 16.09.2021 and filed the report on 25.10.2021 before Hon'ble National Green Tribunal.

6) It is respectfully submitted that the 1st respondent, the Commissioner of Geology and Mining has filed an Application dated 06.04.2022 stating that the report submitted by the Joint Committee was critically examined in detail and it was found that certain omissions were noticed in the report on the quantum of minerals unlawfully mined and transported by the 8th respondent.

7) It is respectfully submitted that the Hon'ble National Green Tribunal in its order dated 29.09.2022 in O.A.No.127 of 2021 (SZ) in para No.5 ordered as follows:

"5. If the revised inspection report by the Joint Committee is placed before the Director of Geology and Mining after furnishing the copy to the 8th respondent. It is open to the 8th respondent to file his objections both before this Tribunal as well as before the Director of Geology and Mining. So, after the receipt of the Joint Committee report as well as objections, if any, from the 8th respondent, the Director, Geology and Mining is directed to dispose of the Appeal in 4 weeks thereafter."

8) Accordingly, the Joint Committee has submitted revised report dated 28.10.2022 before the Hon'ble NGT wherein stated that the violations within the lease hold area of quarry committed by the Appellant as per inspection as follows:-


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Sl. No.	S.F.No.	Extent (in Hects.)	Quantum of minerals quarried and transported within the approved depth and without valid permits (in Cbm)		Quantum of minerals quarried and transported beyond the approved depth (in Cbm)	
			Gravel	Roughstone	Gravel	Roughstone
1.	Lease-I (176/1A)	3.04.0	-	658830	-	507348
2.	Lease-II (175/1)	3.13.0	137509	287397 (Excess permit obtained)	-	96790
Total			137509	371433	-	604138

9) The Joint Committee has further stated that the Appellant has encroached adjacent non-leased out patta lands comprising S.F.Nos.176/1B(P) & 176/2D and the details as follows:

Sl. No.	S.F.No.	Extent (in Hects.)	Quantum of minerals quarried illegally from the non-leased out areas (in Cbm)	
			Gravel	Roughstone
1.	176/1B (P)	1.00.0	42428	356870
2.	174/2D	0.22.5	23953	-
Total			42679*	356870

* Quantum of 23702 Cbm of Gravel is available in the site in the form of dump.

10) It is respectfully submitted that as per the directions of the Hon'ble NGT in its order dated 29.10.2022, the Commissioner of Geology and Mining has communicated the revised report submitted by the Joint Committee to the Appellant on 04.11.2022. On receipt of the revised Joint Committee report M/s.Salem Mines & Aggregates has submitted written statement dated 04.11.2022 and has raised objections as stated below:

- i. Lease-I –In S.F.No.176/1, Thiru.M.Ramachandran has carried out quarrying operations over an extent of 3.00.0 hecets., for the period of 5 years from


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07.02.2006 to 06.02.2011. In the same survey number Thiru.P.Janarthan Reddy has carried out quarrying operations over an extent of 3.00.0 hecets., for the period of 5 years from 15.07.2011 to 14.07.2016. In those ten years of period, there was no Mining Plan procedure was in effect. M/s.Salem Mines & Aggregates has carried out quarrying operations in the same survey number over an extent of 3.04.0 hecets. for a period of 5 years from 19.11.2018 to 18.11.2023 and stated further that they have quarried less quantum of minerals over the permits obtained.

- ii. **Lease-II** – In S.F.No.175/1, Thiru.Janarthan Reddy has carried out quarrying operations from 24.03.2010 to 23.03.2015. In those days there was no procedure on approved depth, quantity and area. M/s.Salem Mines & Aggregates has been carrying out quarrying operations in the same survey number over an extent of 3.13.0 hecets. for a period of 5 years from 26.02.2016 to 25.02.2021 with proper approved Mining Plan and stated further that M/s.Salem Mines and Aggregates has quarried less quantity of minerals in the same survey number than the ex-lessees and further stated that the huge quantum of minerals quarried and transported as per the Joint Committee report is impossible within short period of time.
- iii. With regard to the non-lease hold areas, the ex-lessees has quarried and transported minerals from the non-leased out areas for past 10 years whereas M/s.Salem Mines & Aggregates has been quarrying within the lease hold areas.

11) It is respectfully submitted that in compliance to directions issued by the Hon'ble NGT in O.A.No.127 of 2021 (SZ),


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dated 29.09.2022, the Appeal petition filed by the 8th respondent has been disposed on 05.11.2022 after affording due opportunity to the Appellant.

12) In view of the above, it is therefore humbly prayed that this Hon'ble National Green Tribunal may be pleased to accept this report and pass orders may deem fit and proper in the fact and circumstance of this case and thus render justice.

Solemnly affirmed at Chennai
on this 7th the day of November-2022
and signed his name in my presence.


BEFORE ME
COMMISSIONERATE OF GEOLOGY AND MINING,
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VERIFICATION

I, Thiru.J.Jayakanthan, I.A.S., working as Commissioner of Geology and Mining, Thiru.Vi.Ka.Industrial Estate, Chennai-32 do hereby verify that the contents of above report are true to the best of my knowledge through records.

Verified at Chennai on this 7th day of November-2022.


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