

BEFORE THE NATIONAL GREEN TRIBUNAL

SOTUERHN ZONE, CHENNAI

Appeal No. 13 of 2024 (SZ)

In the matter of:

Pritto Francis (Managing Partner)

M/S. Green Sand Granites

...Appellant(s)

Versus

The Chairman,

The State Environment Impact Assessment Authority (SEIAA),

Rep, by its Member Secretary, and 3 others

...Respondent(s)

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Through

Dr. D. Shanmuganathan

Standing Counsel of Tamil Nadu

National Green Tribunal,

Southern Zone, Chennai

Date: 18.03.2024

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

Appeal No.13 of 2024(SZ)

IN THE MATTER OF:

Pritto Francis (Managing Partner)
M/s.Green Sand Granites,

Appellant(s)

- Vs. -

1) The Chairman
The State Environment Impact
Assessment Authority (SEIAA), Rep by
its Member Secretary,
3rd Floor,
PanagalMaaligai
No.1, Jeenis Road,
Saidapet, Chennai-600015
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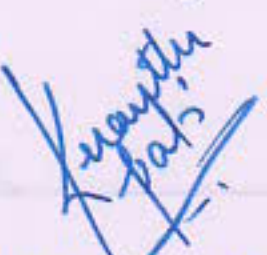
2) The Chairman
The State Expert Appraisal Committee,
The State Environment Impact Assessment
Authority (SEIAA), Rep by
its Member Secretary,
3rd Floor,
PanagalMaaligai
No.1, Jeenis Road,
Saidapet, Chennai-600015
seacmstn@yahoo.com

3) The District Collector,
Coimbatore, Coimbatore District,
collrcbe@nic.in

4) The Assistant Director,
Department of Geology and Mining,
Collectorate, Coimbatore,
Coimbatore District.
Minescbe@gmail.com

Respondent (s)


DEPUTY DIRECTOR
DEPARTMENT OF GEOLOGY & MINING
COIMBATORE DISTRICT


DISTRICT COLLECTOR
COIMBATORE


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REPORT FILED BY THE 3rd RESPONDENT

I, Thiru.Kranthi Kumar Pati, Son of Surender Pati, aged about 32 years, working as District Collector, Coimbatore, residing at Collector's Bungalow, No. 267 Race Course, Coimbatore 641 018, do hereby solemnly affirm and sincerely state as follows:-


- 1) I am the 3rd respondent herein and I am filing this report on behalf of 4th respondent also and I am well acquainted with the facts of this case from the records.
- 2) It is submitted that, Thiru. Pritto Francis (Managing Partner, M/s. Green Sand Granites has filed an appeal no. 13 of 2024(sz) before the National Green Tribunal, Chennai with the following prayer
 - a. To set side the Impugned rejection order passed by the 2nd respondent in its minutes of 401st meeting agenda No.401/17, File No 10129/2023 dated 16.08.2023 and confirmed by the 1st respondent in its consequential Impugned rejection order passed in its 652nd meeting in respect of file bearing no 10129 dated 07.09.2023.
 - b. Consequently, direct the 1st respondent to re-consider the proposal on the light of the above grounds.
 - c. To direct the 1st respondent to reconsider the whole issue and to grant Environmental Clearance (EC) for carrying out rough stone quarry operation in the patta land bearing S.F.No.2061A1(P) (1.44.0) and 207/1C (0.22.0) hecets measuring in extent of 1.62.0 hectares situated at Ramapattinam Village, Pollachi Taluk, Coimbatore District within the limit to be fixed by this Hon'ble Tribunal.


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- 3) It is submitted that, the appellant made an application dated 15.03.2022 for grant of quarrying lease for Rough stone and Gravel, over an extent of 3.85.0 hectares in patta land comprised in survey No.208/1(P) of Ramapattinam Village, Pollachi Taluk, Coimbatore District for a period of 5 years. Subsequently, the applicant made a request to restrict the applied area to 2.07.0 hectares on 05.09.2022.
- 4) It is submitted that, the Sub Collector, Pollachi vide Rc.No.956/2022/A2 dated 28.04.2023 furnished the report stating that no objection was received from the villagers on the A1 notice published on 25.03.2022. However, objections were received from Thiru.Sakthivel and three others stating that their agricultural lands are situated near the applied area and grant of quarry lease would affect their farm lands. The sub collector has further reported that the lands of the objection petitioners are situated at a distance ranging from 122 to 250 meters from the proposed quarry site and wherein coconut and teak plantation are cultivated. He has further stated that there are no habitations, approved layouts and natham lands within 300 meters from the applied area. Further, the lands are not covered under Lands Ceiling Acts, there are no buildings and places of worship in the applied area and no water course poramboke lands, canals within 50 meters and no historical monuments and valuable trees are noticed in the said lands. Finally, the Sub-Collector, Pollachi recommended for grant of quarry lease in favor of the appellant.
- 5) It is submitted that, on receipt of report from the Sub-Collector, the Assistant Geologist of Geology and Mining, Coimbatore inspected the subject field and submitted her technical report on 17.05.2023 recommending for grant of quarry lease for quarrying Roughstone and Gravel in the subject area.

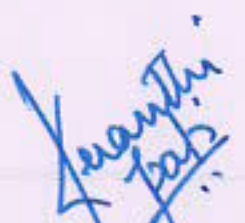

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- 6) It is submitted that, as per Rule 41 and 42 of Tamil Nadu Minor Concession Rules, 1959, Mining Plan and Environmental Clearance from SEIAA are pre-requisite for grant of quarry lease for minor minerals.
- 7) It is submitted that, based on the recommendation of the Sub-Collector, Pollachi and the Assistant Geologist of Geology and Mining, Coimbatore, the appellant was directed to submit the Mining Plan for approval of Environmental clearance from the SEIAA for grant of quarry lease as per Rule 41 and 42 of Tamil Nadu Minor Concession Rules, 1959 vide RC.No.254/Mines/2022 dt.24.05.2023.
- 8) It is submitted that, in response to the above, the appellant submitted the Mining Plan and the same was approved by the Assistant Director of Geology and Mining vide Rc.No.254/Mines/2022 dt.06.06.2023.
- 9) It is submitted that, subsequently, the appellant applied before State Level Environmental Impact Assessment Authority for obtaining Environmental Clearance for quarrying of Rough stone and Gravel in survey No.208/1(P) over an extent of 3.85.0 hectares of Ramapattinam Village, Pollachi Taluk, Coimbatore District.
- 10) It is submitted that the State Level Expert Appraisal Committee (SEAC) placed the said proposal on its 401st meeting held on 16.08.2023 in Agenda No.17 and the Committee has decided not to recommend the proposal for grant of Environmental Clearance on the following grounds:
- i. *The proposed site is a fresh area.*
 - ii. *The proposed project area is surrounded by numerous coconut trees and farms on all sides.*


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iii. A crusher and two other quarries are already operating near the proposed project area and hence the commencement of one more quarry (current proposal) operation in the area will lead to excessive dust and noise pollution load disrupting the existing environmental settings.

- 11) It is submitted that based on the recommendation on the SEAC, the proposal was rejected by the State Level Environment Assessment Authority (SEIAA) vide 652nd authority meeting held on 07.09.2023.
- 12) It is submitted that, against the above decision made by the SEAC and SEIAA the appellant has filed the present appeal before the Hon'ble National Green Tribunal, Southern zone, Chennai.
- 13) It is submitted that, as per the Rule 42 of the Tamil Nadu Minor Mineral Concession Rules, 1959, prior Environmental Clearance is mandatory for grant of mineral concessions and quarry lease could be granted only after the submission of Environmental Clearance from SEIAA and other statutory clearance by the appellant.
- 14) In view of the above, it is submitted that, as far as the department of Geology and Mining is concerned, at present no action is pending on the request of the appellant and issuance of Environmental clearance falls within the purview of the State Level Environmental Impact Assessment Authority.

Therefore, it is humbly prayed that this Hon'ble Tribunal may be pleased to accept this report and issue orders as this Hon'ble Tribunal may deem fit and thus render justice.

Solemnly affirmed at Coimbatore on
This 15th of March 2024 and signed
his name in my presence

Aeranthi
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DISTRICT COLLECTOR
COIMBATORE

BEFORE ME

K. M. M.
DEPUTY DIRECTOR
DEPARTMENT OF GEOLOGY & MINING
COIMBATORE DISTRICT

VERIFICATION

Thiru.S. Kranthi Kumar Pati, son of Surender Pati, Hindu, aged 32 years, residing at Collector's Bungalow, No. 267, Race Course, Coimbatore 641018, working as District Collector, Coimbatore District do hereby verify that the contents of above report are true to the best of my Knowledge through records.

Verified at Coimbatore on this 15th of March, 2024

*Kranthi
Pati* 7/4
DISTRICT COLLECTOR
COIMBATORE