

IN THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE  
BENCH, CHENNAI

ORIGINAL APPLICATION NO. 138 of 2022

IN THE MATTER OF: -

S. Baghya Lakshmi

.... Applicant

Versus

The Director, Department of Environment  
State of Tamilnadu, Chennai and Ors.

.... Respondent(s)

COUNTER AFFIDAVIT FILED ON BEHALF OF STATE LEVEL  
ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA)



Filed by:  
G.M. SYED NURULLAH SHERIFF  
Senior Standing Counsel  
MoEF&Cc.  
Mob. No. 9444015330  
Counsel for Respondent no.8

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
SOUTHERN ZONE AT CHENNAI  
ORIGINAL APPLICATION No.138 of 2022 (SZ)

**BETWEEN:**

**S. Baghya Lakshmi,**  
W/o. Mr. S. Ramachandran,  
5/63, Muthugoundanur Village,  
Kinathukadavu Taluk, Coimbatore,

.... Applicant

/Verses/

1. **The Director,**  
Department of Environment,  
State of Tamil Nadu,  
No.1, Jeenis Road, Panagal Maligai,  
Ground Floor, Saidapet, Chennai – 600 015.
2. **The District Collector,**  
Coimbatore,  
Collectorate Building,  
Coimbatore – 641 018.
3. **The Tahsildar,**  
Kinathukadavu Taluk  
Coimbatore
4. **The Assistant Director,**  
Alandur Road, Guindy Industrial Estate,  
Guindy, Chennai – 600 032.
5. **The Joint Director,**  
Department of Agriculture, Tamil Nadu,  
Chepauk, Chennai – 600 005.
6. **The Chairman,**  
Tamil Nadu Pollution Control Board,  
76, Mount Salai,  
Guindy, Chennai – 600 032.

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

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

7. **The District Environmental Engineer,**  
Tamil Nadu Pollution Control Board,  
Coimbatore South, Plot No. E-55A,  
SIDCO Industrial Estate, Pollachi Main Road,  
Kuruchi, Coimbatore – 641 015.
8. **State Level Environment  
Impact Assessment Authority – Tamil Nadu**  
Rep. by its Member Secretary,  
Third Floor, Panagal Maligai,  
No.1, Jeenis Road, Saidapet,  
Chennai – 600 015.
9. **M/s. Pollachi Granites,**  
Rep. by its Partner  
Sokkanur, Kinathukadavu Taluk,  
Coimbatore – 642 109.
10. **A. Kalimuthu Rajan**  
S/o. Ayyasamy Gounder  
2/16, Muthugoundanur Village,  
Kinathukadavu Taluk, Coimbatore.

**COUNTER AFFIDAVIT FILED ON BEHALF OF SEIAA – Tamilnadu, THE  
EIGHTH RESPONDENT**

I, Deepak S. Bilgi, I.F.S., working as Member Secretary, State Level Environment Impact Assessment Authority, Tamil Nadu (SEIAA-TN) having office at Third Floor, Panagal Maaligai, Saidapet, Chennai – 600015 solemnly affirm and sincerely state as follows:

1. I am filing this counter affidavit on behalf of the Eighth Respondent/SEIAA-TN herein and as such I am well acquainted with the facts and the circumstances of the case from the records available in this office.

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

2. At the outset, I deny the averments and allegations stated in this original application 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, Tvl. Pollachi Granites / Ninth Respondent, has applied for Environmental Clearance report vide Proposal No. SIA/TN/MIN/221061/2021, dated 21.07.2021 for Rough Stone & Gravel Quarry over an extent of 2.42.0 Ha in S.F.Nos. 444/1 (Part) of Sokkanur Village, Kinathukadavu Taluk, Coimbatore District, Tamil Nadu.
4. It is respectfully submitted that, the proposal was placed in 249<sup>th</sup> SEAC meeting held on 25.02.2022. The project proponent has given a detailed presentation. The details of the project furnished by the proponent are given in the website (parivesh.nic.in), The SEAC noted the following:
  - a) The Project Proponent. Tvl. Pollachi Granites has applied for Environmental Clearance for the proposed Rough Stone & Gravel quarry lease over an extent of 2.42.0 Ha in S.F. Nos 444/1 (P) Sokkanur Village, Kinathukadavu Taluk, Coimbatore District, Tamil Nadu
  - b) The project/activity is covered under Category "B2" of Item 1(a) "Mining Projects" of the Schedule to the EIA Notification, 2006.
  - c) The Project Proponent has furnished the mining plan for the period of 10 years. The production for the 1<sup>st</sup> five years states that total quantity should not exceed Rough Stone 352210m<sup>3</sup> & Gravel-30618 m<sup>3</sup>. The ultimate depth of Mining 27m below ground level.

The EMP budget: Rs. 17,14,000/- (inc Capital & Recurring cost).

Based on the presentation made by the proponent and the documents furnished, SEAC decided to recommend the proposal for the grant of Environmental Clearance, subject to the standard conditions as per the Annexure I of this minutes & normal conditions stipulated by MOEF &CC, in addition to the following specific conditions.

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

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

- I. The proponent shall made compensatory plantation of 500 nos, (as per appendix) instead of 42 nos of tress to be affected during mining operation and the same shall be planted within one year
  - II. The proponent shall ensure that the survival rate of the plantation is more than 85%.
  - III. The proponent shall conduct hydro geological report in every six months through competent authority and submit the report to TNPCB and copy submitted to SEIAA.
  - IV. As per the MoEF & CC Office Memorandum F.No. 22-65/2017-IA.III dated: 30.09.2020 and 20.10.2020 the proponent shall adhere EMP furnished.
  - V. As accepted by the PP the revised CER cost of Rs.5,00,000/- shall be spent with activities, particularly (1) construction of Girls toilet with 24/7 water facility, (2) providing sanitary napkin along with Incinerator for the disposal (if applicable). (3) tree plantation (as per appendix) in consultation with concerned Government school HM located in Sokkanur Village before obtaining CTO from TNPCB.
5. It is respectfully submitted that, the proposal was placed in the 493<sup>rd</sup> SEIAA meeting held on 17.03.2022 After detailed discussion, the Authority accepts the recommendation of SEAC and decided to grant Environmental Clearance subject to the conditions as recommended by SEAC in addition to certain conditions.
6. It is respectfully submitted that, the Environmental Clearance (EC) was issued to the project through vide Lr. No. SEIAA-TN/F.No.8665/EC. No:5017/2021 dated:18.03.2022.

Member Secretary

STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY - TN

Panagal Maligai, No.1, Jeeris Road,  
Saidapet, Chennai - 15

  
Member Secretary

STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY - TN

Panagal Maligai, No.1, Jeeris Road,  
Saidapet, Chennai - 15

7. It is respectfully submitted that, as per the Revenue Records / "A" Register vide Patta No.1617 submitted by the project proponent, the survey number.444/1(P) for which EC was given, falls under "Punjai Land" and further as per the VAO Certificate dated 14.07.2021, Sokkanur Village states that there are no recognized houses, temples or ancient symbols within 300 meters around the punjai land.

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 06<sup>th</sup> day of March 2023  
& Signed his name in my presence.

*nak*  
*6/3/2023*  
**EIGHTH RESPONDENT  
MEMBER SECRETARY**

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

*[Signature]*  
**BEFORE ME**  
Attested Officer

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