

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
(SOUTHERN ZONE BENCH, CHENNAI)  
IN  
ORIGINAL APPLICATION NO. 142 OF 2020 (SZ)**

**REPORT SUBMITTED BY THE GEOLOGIST, DEPARTMENT OF MINING  
AND GEOLOGY/ 6<sup>TH</sup> RESPONDENT**

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Dated at Chennai on this the 25<sup>th</sup> day of August , 2022.

  
**M/s. E.K.KUMARESAN**

Standing Counsel for State Government of Kerala - NGT(SZ) Chennai Bench

**Report submitted by 6<sup>th</sup> respondent The Geologist, Department of Mining and Geology, District Office, Pathanamthitta in O.A.No. 142/2020 filed by Shri. Renny Jacob George before the Honourable National Green Tribunal, Chennai**

It is most respectfully submitted that Shri. Naveen Mathew Philip, Thekkenedumplakkal, Mallappally West was granted quarrying permits and two quarrying leases for the extraction of Granite (Building Stone) and the details are given below. Quarrying operations were conducted in the area of both the leases from 2006-07 till 2015-16 financial year, based on RMCU registration granted to the crusher unit situated in the same premises.

Quarrying leases:-

Sl. no.	Name & address of the lessee	Details of land	Order no. & date	validity
1	Sri. Naveen Mathew Philip, Thekkenedumplakkal, Mallappally West	Mallappally Taluk Anickadu village 5.1962 ha. Sy.no. 328/6, 329/9,10, 327/1, 325/1,2, 305/10-11	828/2007-08/1053/M3/2 008 dtd. 17.02.2008	22.02.2008 - 21.02.2020
2	Sri. Philip Mathew, Thekkenedumplakkal, Mallappally West	Mallappally Taluk Anickadu village 1.0183 ha. Sy.no. 326/2, 326/4, 326/5	429/2005-06/8952/M3/2 005 dtd. 14.11.2005	18.11.2005 - 17.11.2017

In addition to the above leases short term quarrying permits were also granted and the details are given below.

Sl. No.	Name & address of the permit holder	Details of land	Permit no. & date	validity
1	Sri. Naveen Mathew Philip, Thekkenedumplakkal, Mallappally West	Mallappally Taluk Anickadu village 22.53 Ares Sy.no. 325/3	20/2013-14/QP/CRPS / GBS/1733/DOPTA/M/2 012 dtd. 05.08.2013	04.08.2014
2	Sri. Naveen Mathew Philip, Thekkenedumplakkal, Mallappally West	Mallappally Taluk Anickadu village 17.43 Ares Sy.no. 328/5-1	21/2013-14/QP/ CRPS / GBS/1732/ DOPTA/M/2012 dtd. 05.08.2013	04.08.2014



*(Handwritten signature)*

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It is humbly submitted that a joint committee comprising of 1) The District Collector, Pathanamthitta District 2) Senior Officer/Scientist from State Environment Impact Assessment Authority (SEIAA) Kerala 3) The Director, Directorate of Mining & Geology and 4) Senior Officer from Kerala State Pollution Control Board was constituted to inspect the averred site by obeying the order dated 07.08.2020 of the Honourable National Green Tribunal in OA 142/2020(SZ). Consequently a site inspection was conducted with the Joint Committee on 07.10.2020. A letter from this respondent's office was sent to the Tahsildar, Mallappally to assess the mined out area within and outside the permitted lease area on 20.10.2020. The Director of Mining and Geology vide letter No.6916/M2/2020 dated 23.11.2020 to District Fire Officer, Fire and Rescue Services, Pathanamthitta, requested the help of Fire and Rescue Services to determine the depth of two water-filled pits in the averred quarry. A joint site inspection with a Geologist from Directorate of Mining and Geology and officers from Fire and Rescue Services, Pathanamthitta was again conducted on 13.01.2021 to determining the depth of the water column in the quarry pits. The Tahsildar, Mallappally handed over the survey sketch of the area vide letter no.A3-3240/19 dated 04.01.2021 via post. Based on the survey works and depth measurement in the quarry, a joint site inspection of all committee members in the presence of the quarry owner and applicant was carried out on 23.01.2021.

It is respectfully submitted that, it was evident that the quarry was subjected to over extraction of Granite (Building Stone) from inside the lease area and illegal extraction of Granite (Building Stone) from outside the lease area on preliminary examination itself. Two quarry pits were seen in the averred area, the first pit being almost covered with water and the second pit fully covered with water. The first pit falls in Sy. Nos. 325/1,2,3, 326/2, 327/1 (2.0320 Hectares), 305/10,11,12, 325/1,2,3, 306/5, 326/2,5, 327/1 (1.6210 Hectares), 305/12, 306/5, 325/3, 326/5 (0.3740 Hectares) totaling to an area of 4.027 Hectares and the second pit falls in survey nos. 327/1, 328/6, 329/9,10 totaling to an area of 1.0160 Hectares. In addition to this, the area was subjected to extraction of ordinary earth which was transported outside the averred quarry. For estimation of the excavated quantity of granite building stone from the averred area, total station survey was conducted by the survey team of the Taluk office, Mallappally, Pathanamthitta. The quantity of Granite (Building Stone) extracted above the water table was determined through this survey. Respective depths of the two water logged pits were also determined with the assistance of the officers from Fire and Rescue Services, Pathanamthitta by averaging the cross sectional depths of the respective pits.



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**Assessment of penalty for illegal extraction of minor minerals**

(Based on Rule 108(1) &(2) of Kerala Minor Mineral Concession Rules 2015)

Volume of the extracted quantity of Granite Building Stone in the quarry derived by the survey team is given below:

**Pit No.1**

Excavated quantity from lease area above the water table seen as water logged	3,45,440 m <sup>3</sup>	8,63,600 MT
Excavated quantity from lease area below the water table seen as water logged	2,62,534 m <sup>3</sup>	6,56,335 MT
Excavated quantity from lease area excluding water logged area	2,75,570 m <sup>3</sup>	6,88,925 MT
Excavated quantity from outside lease area	44,880 m <sup>3</sup>	1,12,200 MT
Total quantity excavated from pit no.1 in metric tones		<b>23,21,060 MT</b>

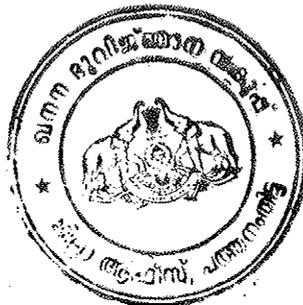
**Pit No.2**

Excavated quantity from lease area above the water table seen as water logged	81,280m <sup>3</sup>	2,03,200 MT
Excavated quantity from lease area below the water table seen as water logged	2,02,184m <sup>3</sup>	5,05,460 MT
Total quantity excavated from pit no.2 in metric tones		<b>7,08,660 MT</b>

Total quantity excavated from Pit No. 1 and Pit No. 2 = **30,29,720 MT**

As per records available in this respondent's office, from the year 2004-05 to 2015-2016 the quarry owner was issued transit passes to transport 11,72,266 metric tonnes of Granite Building Stone (GBS). Thus,

Quantity of GBS legally extracted from the lease area		11,72,266 MT
Quantity of GBS illegally extracted from within and outside the permitted area	30,29,720 – 11,72,266	18,57,454MT
Penalty for illegal extraction of 18,57,454 Metric Tonnes of Granite (building stone) (Royalty +Price + compounding fee)		<b>₹ 13,42,36,688/-</b>



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In addition to the above estimation, the party has to remit Rs.12, 21, 000/- towards the penalty for the unauthorized excavation and removal of 10,175 m<sup>3</sup> (20,350 MT) of ordinary earth from the survey nos. 305/7, 305/9, 325-2, 3, 4 as estimated during the survey conducted by the survey team of Taluk Office, Mailappally. The penalty is imposed as the extracted ordinary earth has been transported outside the quarry site. This office will initiate legal steps against the lessee for illicit extraction of minerals as per Kerala Minor Mineral Concession Rules, 2015.

Dated this the 4<sup>th</sup> day of July 2022.



*(Signature)*  
Geologist (110)  
(6<sup>th</sup> respondent)