

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No. 148 of 2022 (SZ)

IN THE MATTER OF:

Dr. Sushmitha,

Chennai – 600 096

...Applicant(s)

Versus

The Member Secretary,

SEIAA and Others

...Respondent(s)

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Through

Dr. D. Shanmuganathan

Standing Counsel

National Green Tribunal

Southern Zone

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

Original Application No.148 of 2022 (SZ)

IN THE MATTER OF:

Dr. Sushmitha
No.C-302,
Radiance Mandarin Apartment,
Thoraipakkam,
Chennai - 600 096.
Email: sushmitharajaguru1984@gmail.com
Ph: 9442588813

... Applicant

- Vs. -

- 1) The Member Secretary,
State Environment Impact Assessment
Authority,
Panagal Maligai
Saidapet, Chennai.
Email: cmantnseiaa@yahoo.com
Ph:+044-24359973
- 2) The District Collector,
Collectorate,
Karur District, TamilNadu,
Email-cllrkar@nic.in
Ph-04324-257511
- 3) The Member Secretary,
The Tamil Nadu Pollution Control Board,
Mount Salai, Guindy, Chennai - 600 032.
Email: tnpcb-chn@gov.in
Ph:044-22353134-139.
- 4) Commissioner,
Directorate of Geology and Mining,
Industrial Estate,
Guindy, Chennai - 600 032
Email-geomine@tn.nic.in
Ph-044-22500562.

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No of Corns :


**Assistant Geologist
Department of Geology and Mining
Karur**


**DEPUTY DIRECTOR,
GEOLOGY AND MINING
KARUR**

- 5) The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
No. 26 Ramkrishmapuram West,
Karur-639 001.
Email-tnpcbkarur@gmail.com
Phone:04324-230522.
- 6) The Deputy Director,
Geology and Mining Department,
Room No. 302, 3rd Floor,
Collectorate, Karur - 639007
Email- mine.tnkar@gmial.com
Phone:04324-255113.
- 7) The Executive Engineer,
Karur Distribution Circle,
Tamil Nadu Generation and Distribution
Corporation,
TNEB COMPLEX, 3, Kovai Road, Karur -
639002.
Email: tnk4431ee1@tnebnet.org
Phone: 04324-248678.
- 8) M/s. Sri Rathnagiriswarar Blue Metals,
Rep.by its Proprietor Mr.M.Palaniyandi.
No.2/1, Shivayam North Village,
Ayyarmalai post, Karur - 639120.
Email:bdhpp6396p@gmail.com
Ph:Unknown.
- 9) M/s. Navamani Mines Private Limited,
Rep.by its Managing Director P.Mani,
Door No.5/898, Azhagu Nagar,
Trichy Road, Namakkal - 631 007.
Email:manipalannisamy2666@gmail.com
Ph:Unknown
- 10) Mr. Palaniyandi,
S/o.Mr.Mottaiyandi,
No.2/34, Ambalakarar Street,
Somarasampettai,
Srirangam Taluk,
Trichy District.
Email: bdhpp6396p@gmail.com
Ph: Unknown
- ... Respondent(s)

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Assistant Geologist
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Karur


DEPUTY DIRECTOR,
GEOLOGY AND MINING
KARUR

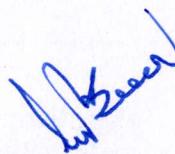
ADDITIONAL COUNTER AFFIDAVIT FILED BY THE 6TH
RESPONDENT.

I, Dr.P.Jayapal, S/o.Ponnusamy Hindu, aged about 51 Years , serving as Deputy Director, Department of Geology & Mining, Collectorate, Karur do hereby solemnly affirm and states as follows,

- i. I respectfully submit that, counter affidavit was submitted by the District Collector, Karur (i.e. 2nd respondent) to this case before the Hon'ble National Green Tribunal, South Zone on 28.02.2023.
- ii. I respectfully submit that as per the Proceedings of the Revenue Divisional Officer in Rc. No. A1/1409/2023-01, dated 03.05.2023, a sum of Rs.23,54,14,500/- (Rupees Twenty Three Crore Fifty Four Lakhs Fourteen Thousand and Five Hundred only) had been levied on 10th respondent to this case for illegal quarrying and transportation of 5,36,250 Cubic Meters of roughstone over an extent of 16,250 square meters in patta S.F.No.2/2 of Sivayam North village, Krishnarayapuram Taluk of Karur District, under the provisions of rule 36-A of the Tamilnadu Minor Mineral Concession Rules 1959.
- iii. The break up details regarding the sum of penalty levied is submitted below

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Department of Geology and Mining
Karur


DEPUTY DIRECTOR,
GEOLOGY AND MINING
KARUR

- a) Seigniorage fee for 5,36,250 cubic : Rs.3,16,38,750/-
meters of Roughstone @Rs.59/CBM
vide G.O.(Ms)No.183 Industries
(MME.1)Department, Dt:28.12.2017
- b) Cost of Mineral for 5,36,250 cubic : Rs.20,37,75,000
meters of roughstone @ Rs.380/CBM
vide G.O.(D)No.107 Industries (MMC-
2) Department, Dt:06.07.2017
- c) Area Assessment @ Rs.150 per : Rs.750/-
Hectare/Annum vide G.O.(Ms)No.183
Industries (MME.1)Department,
Dt:28.12.2017
- Total : Rs.23,54,14,500/-

(Rupees Twenty Three Crore Fifty Four Lakhs Fourteen Thousand and Five Hundred only)

- iv. I respectfully submit that aggrieved by the orders of the Revenue Divisional Officer, Kulithalai in Karur District, the 10th respondent preferred an appeal before the 2nd respondent, under the provisions or rule 36-C(1) of the Tamilnadu Minor Mineral Concession Rules 1959 on 14.08.2023, it is pending for disposal.
- v. I further respectfully submit, if aggrieved, that the 10th respondent is having one more appeal chance before the Director of Geology and Mining, Chennai under rule 36-C (2) of the Tamilnadu Minor Mineral Concession Rules,1959.
- vi. I respectfully submit, that if there are no such impediments, the penalty amount of Rs.23,54,14,500/- (Rupees Twenty Three Crore Fifty Four Lakhs Fourteen Thousand and Five

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GEOLOGY AND MINING
KARUR

Hundred only) is collectable from the 10th respondent as per the provisions of rule 36-B (1) and (2) of the Tamilnadu Minor Mineral Concession Rules, 1959.

In view of the above I respectfully submit that the Hon'ble National Green Tribunal (SZ), Chennai may be pleased to accept this additional Counter affidavit and may consider to pass appropriate orders or further orders and thus render Justice.



**DEPUTY DIRECTOR,
GEOLOGY AND MINING
KARIIR**

BEFORE ME



**Assistant Geologist
Department of Geology and Mining
Karur**

VERIFICATION

I, Dr. P.Jayapal, S/o. Ponnusamy Deputy Director, Department of Geology and Mining, Karur, do hereby verified the contents of this Additional Counter Affidavit and they are true to my personal knowledge, based on the Records, I have not suppressed any facts.

Verified at Karur on this 22nd day of September 2023.



**DEPUTY DIRECTOR,
GEOLOGY AND MINING
KARUR**