

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
(SOUTHERN ZONE BENCH, CHENNAI)**

ORIGINAL APPLICATION NO. 149 OF 2022

In the matter of:

Shankaran

----Applicant

-VS-

State of Kerala, Rep by its Principal Secretary,
Dept. of Environment & Climate change,
Thiruvananthapuram and ors

----Respondent(s)

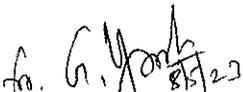
REPORT FILED BY THE GEOLOGIST, PALAKKAD/

5TH RESPONDENT

Index

S.No	Particulars	Page No.
1.	Report of the Geologist, Palakkad	1-3

Dated at Chennai on this the 08th May, 2023.


8/5/23

M/s. E.K.KUMARESAN

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

(1)

REPORT SUBMITTED BY 5th RESPONDENT, GEOLOGIST, DISTRICT OFFICE, DEPARTMENT OF MINING & GEOLOGY, PALAKKAD BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL (SOUTH ZONE) IN OA NO. 149/2022 FILED BY SRI. SHANKARAN, S/o AYYAPPAN, ATHANIKKAL HOUSE, CHALAVARA PO, PALAKKAD DIST.

It is humbly submitted that a quarrying lease was granted to M/s Blue Chips Mines & Industries, Vembalathumpadam, Kayiliyad PO, Palakkad - 679122 (8th respondent) by the Director of Mining & Geology, Thiruvananthapuram to extract 100000MT of Granite Building Stone per year over an area of 1.6100 hectares of land comprised in Survey No. 168/11A of Chalavara Village, Ottappalam Taluk, Palakkad District for 12 years from the date of execution of the Quarrying Lease Deed under the Kerala Minor Mineral Concession Rules, 1967, by the Director of Mining & Geology, Thiruvananthapuram vide order No. 668/2008-09/7814/M3/08, dated 31/01/2009. The Quarrying Lease Deed was executed on 26th August, 2011 for 12 years commencing from 26/08/2011 to 25/08/2023. On the basis of the quarrying lease and other statutory licenses, this respondent is issuing movement permits to 8th respondent for extracting and transporting Granite Building Stone.

It is submitted that a quarrying permit was granted to C.K. Kunhipocker, Managing Partner, Kalpaka Metal Curesher, Kailiyad. P.O, Shornur, Palakkad (9th respondent) to extract Granite Building Stone over an area of 97.07 Ares of land comprised in Survey No. 1/7pt of Vaniyamkulam-I. Village, Ottappalam Taluk, Palakkad District commencing from 06-12-2021 to 05-12-2022 as per the Kerala Minor Mineral Concession Rules, 2015, by this respondent, Geologist, Mining and Geology Department, Palakkad vide Quarrying permit No. 18/2021-

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2

21/GBS/DOP/2361/2021/A1 dated 06-12-2021. The validity of the quarrying permit was expired on 05-12-2022.

It is submitted that as per Rule 68 of Kerala Minor Mineral Concession Rules, 2015 quarrying operations shall be carried out as per the approved mining plan. The mining plan, which is prepared for carrying out mining in safe, environmental friendly and sustainable manner, contains details of precise area where mining is permitted, quantity of the mineral that can be mined annually, the area where excavation are to be carried out annually, the types machinery used, the types of explosives used, safety aspects of workers engaged in mining, measures to be taken for conducting environment friendly mining etc.

It is submitted that this respondent inspected the sites in question on 07/02/2023. On inspection, it is found that the 8th respondent's quarry is working by violating the conditions stipulated in the quarrying lease and mining plan. It is also found that topsoil, overburden materials, quarry waste etc has been dumped unsafely and unscientifically in an area 65 meters south of Boundary pillar No. 03. This respondent issued a notice to the respondent 8 asking to show cause whether there is any reason not to take actions as per Mines and Minerals Development and Regulation Act, 1957, Kerala Minor Mineral Concession Rules, 2015 and Kerala Minerals Prevention of Illegal Mining Storage and Transportation Rules, 2015 (Copy marked as Annexure 1).

It is submitted that since the validity of quarrying permit has been expired, there is no mining activities in the 9th respondent's quarry. It is also noticed that the 9th

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(3)

respondent were conducted mining activities by violating conditions stipulated in Mining plan and Rule 10 of Kerala Minor Mineral Concession Rules, 2015.

It is submitted that in order to estimate the extracted quantity of granite building stone from the quarries, a detailed survey has to be conducted with the assistance of survey department.

Dated this 13th February, 2023



Geologist

5th Respondent
GEOLOGIST
District Office of the Department
Mining and Geology, Palakkad
PIN : 678 014

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GEOLOGIST, PALAKKAD/**

5TH RESPONDENT

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