

**BEFORE THE HON'BLE NATIONAL GREENTRIBUNAL  
SOUTHERN ZONE, CHENNAI**

**APPLICATION NO. 149 of 2022**

Mr. Sankaran, Athannikkal House : Applicant

Versus

Secretary, Kerala State Pollution Control Board,  
Thiruvananthapuram and others : Respondent(s)

**REPORT FIELD BY THE ENVIRONMENTAL ENGINEER ASPER ORDER OF THE HON'BLE  
NATIONAL GREEN TRIBUNAL**



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STANDING COUNSEL FOR THE 7<sup>th</sup> RESPONDENT:

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

**APPLICATION NO. 149 of 2022**

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VS.

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Thiruvananthapuram and others : Respondent(s)

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Dated this the 1<sup>st</sup> day of August 2023

**STANDING COUNSEL FOR THE 7<sup>th</sup> RESPONDENT**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL CHENNAI**

**Application No. 149/2022**

Mr. Sankaran, Athannikkal House : Applicant

VS.

Secretary, Kerala State Pollution Control Board,  
Thiruvananthapuram and others : Respondent(s)

**REPORT FILED BY THE ENVIRONMENTAL ENGINEER, KERALASTATE  
POLLUTION CONTROL BOARD, DISTRICT OFFICE, PALAKKAD.**

I, Sri. Dinesh.K.S., aged 53 years, S/o K.V.Sidharthan, residing at Kothakulangara House, Gandhigram, Irinjalakuda (Part), Thrissur, Kerala – 680121, Kerala State Pollution Control Board to file report on his behalf.

The Hon'ble tribunal had vide order dated 09.05.2023 in original application no. 149/2022 stated as follows.

- 1) *"This apart, Respondent No.8 does not have Environmental Clearance for operating the crushing and quarrying units. The 9<sup>th</sup> Respondent who was issued with the Environmental Clearance on 05.03.2018, in the specific conditions, it is categorically stated that the overburden shall be properly stacked and the overburden material should be managed within the site and used for reclamation of the mine pit as per mine closure plan / specific conditions. And the court also directed as follows : "In this regard, we direct the District Collector, Department of Mines and Geology and also the Kerala State Pollution Control Board to clarify whether the operation of the Respondents Nos.8 & 9 in violation of these conditions is permissible. If not, what are all the actions taken by them till today, as today, it is stated that the lease of the 9<sup>th</sup> Respondent is already expired.*



**DINESH. K. S.**  
Environmental Engineer  
Kerala State Pollution Control Board  
District Office, Palakkad



2) In compliance with the direction report the following; Consent granted to the quarry of the 8<sup>th</sup> respondent based on the quarrying lease granted in the name of managing partner M/s. Blue Chips Mines and industries, Kallyad P.O., Ottapalam from Directorate of mine and Geology in survey no. 168/IIA for an area of 1.600 Hectors having validity for 12 years from 26.08.2011 to 25.08.2023. Copy of the quarrying lease produced here with and marked as exhibit R7(a). Based on the order of Hon'ble supreme court dated 27.02.2012 in the case of Deepak kumar (Supra) Kerala Government insisted Environmental clearance for quarries having less than 5 hectares only for applying as new one, renewing the granted permit/lease. Since they obtained lease on 26.08.2011 before the judgment and have validity up to 25.08.2023 consent granted to the unit as per circular no. PCB/HO/TAC/GoM/953/2014 dated 01/10/2015 of the KSPCB regarding lease holders. Copy of the circular produced here with and marked as exhibit R7(b).

3) Joint inspection conducted on the alleged site and the quarries of the respondents 8 and 9. Based on the inspection direction given to 9<sup>th</sup> respondent to remove the top soil and over burden deposited near the crushers and use it for the reclamation of the quarry pit, as the quarry operations stopped with expiry of Environmental clearance. Copy of the direction letter and its translation produced herewith and marked as Exhibit R7(c). And the respondent 9<sup>th</sup> in his reply letter dated 07.07.2023 reported that immediate action to be taken to remove the deposited top soil and overburden from the crusher area site for the reclamation of the mine pit. Copy of the letter and its translation on English produced here with and marked as exhibit R7(d). Directed them to submit a detailed proposal for the removed and reclamation process of the overburden and top soil.



**DINESH. K. S.**  
Environmental Engineer  
Kerala State Pollution Control Board  
District Office, Palakkad



4) Respondent 8<sup>th</sup> submitted a detailed action taken report on the directions given them regarding the clearing of the drainage, stacking and managing of over burden, managing slurry and providing additional settling tanks during the previous inspections. Copy of the report produced and marked as exhibit R7(e). the works done as mentioned in the report verified during the joint inspection conducted on 08.06.2023.

5) It is humbly submitted that Board will verify the action taken by the respondent 9<sup>th</sup> on the removal of top soil and over burden for reclamation of the quarry pit.

All the above are true to the best of my knowledge, information and belief.

Dated this the 1<sup>st</sup> day of August 2023.



A handwritten signature in blue ink, appearing to read "Dinesh K. S.", with a horizontal line underneath.

**DEPONENT**

**DINESH. K. S.**  
Environmental Engineer  
Kerala State Pollution Control Board  
District Office, Palakkad

**VERIFICATION**

I, Dinesh K.S, aged 53 years S/o K.V. Sidharthan, now working as Environmental Engineer in the District Office - Palakkad of the Kerala State Pollution Control Board at Palakkad, duly authorized to file this reply on behalf of the Kerala State Pollution Control Board do hereby verify on this, the 1<sup>st</sup> day of August 2023, that all what is stated above is true and correct to the best of my knowledge, information and belief and is borne out from the records maintained in our office.



**DINESH. K. S.**  
Environmental Engineer  
Kerala State Pollution Control Board  
District Office, Palakkad

**Dinesh K.S.** Environmental Engineer,

District Office - Palakkad

Kerala State Pollution Control Board, Palakkad.



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

**APPLICATION NO. 149/2022**

Mr. Sankaran, Athannikkal House : Applicant

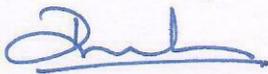
VS.

Secretary, Kerala State Pollution Control Board,  
Thiruvananthapuram and others : Respondent(s)

**AFFIDAVIT**

I, Dinesh K.S, aged 53 years S/o K.V. Sidharthan, residing at Irinjalakuda do hereby solemnly affirm and state as follows:

I am now working as the Environmental Engineer, District Office – Palakkad Kerala State Pollution Control Board at Palakkad. I am competent to and duly authorized to represent the 7<sup>th</sup> respondent in the above case. I know the facts and circumstances of the case. The factual submissions made here under in paragraphs 1 to 5 of the reply are true and correct to the best of my knowledge, information and belief. The legal submissions made therein are made on advice received from Counsel. In these circumstances, it is just and necessary that this Hon'ble Tribunal may be pleased to accept the accompanying reply on file and it is so humbly prayed in the interests of justice in this case.



**DINESH. K. S.**  
Environmental Engineer  
Kerala State Pollution Control Board  
District Office, Palakkad



**DINESH K.S., DEPONENT**

Solemnly affirmed and signed before me by the literate deponent personally known to me on this the 1<sup>st</sup> day of August 2023 at my office in Palakkad

**STANDING COUNSEL FOR THE 7<sup>ST</sup> RESPONDENT**

26/08/11 2011



കേരളം KERALA

AM 043342

FORM - 'H'

(See Rule 32)

QUARRYING LEASE

This indenture made this the 26<sup>th</sup> day of August 2011 between the Governor of Kerala (hereinafter referred to as the "State Government" which expression shall, where the context so admits be deemed to include his successors and assigns) of the one part and Shri. T. Baburaj aged 71 years son of Shri. C.Thomas, Mg Partner, M/s Blue Chips Mines & Industries, Vembalathupadam, Kailiyad PO., Ottappalam, Palakkad in the village of Chengamanadu taluk of the Aluva, Ernakulam District (hereinafter called the "lessee" which expression shall where the context so admits, include his executors, administrators, representatives and permitted assigns) of the other part.

*(Signature)*  
 26/08/2011  
**A. R. MANOJ**  
 Geologist  
 District Office of the Department of  
 Mines and Geology, Palakkad.

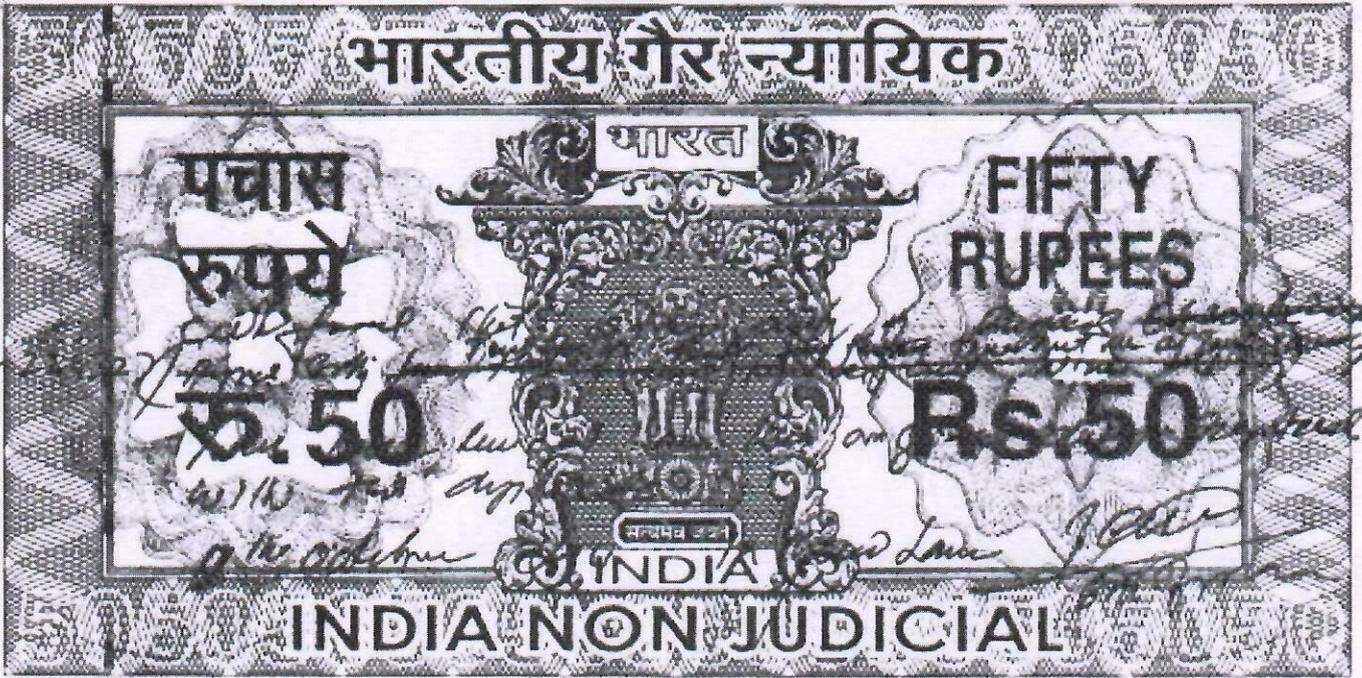
For BLUE CHIPS MINES AND INDUSTRIES

*(Signature)*  
**T. Baburaj**  
 Mg. Partner



*(Signature)*

**DINESH. K. S.**  
 Environmental Engineer  
 Kerala State Pollution Control Board  
 District Office, Palakkad



കേരളം KERALA

AM 043343

-2-

Witnesseth that in consideration of the rents and royalties and lessee covenants, hereinafter reserved and contained the State Government both hereby demise upto the lessee the land measuring 1.6100 hectares described in the schedule hereunder the delineated on the plan here to annexed and therein coloured red (hereinafter called the "said lands") to hold the same for a period of 12 (twelve) years commencing from the Twenty 8<sup>th</sup> x 15 day of August 2011 and ending on the Twenty fifth day of August 2023 for the purposes of extracting minor minerals and subject to the terms and conditions contained in the Kerala Minor Mineral Concession rules, 1967 (hereinafter referred to as "the Rules") and to the terms and conditions hereinafter appearing.

For BLUE CHIPS MINES AND INDUSTRIES

*T. Baburaj*  
 T. Baburaj  
 Mg. Partner  
 26/08/2011

A. K. MANOJ  
 Geologist  
 District Office of the Department of  
 Mining and Geology, Palakkad.



DINESH K S  
 Environmental Engineer  
 Kerala State Pollution Control Board  
 District Office, Palakkad

1. The lessee shall have the right in and upon the said lands to extract Granite Building Stone (hereinafter called the said mineral) and to do all acts necessary for the extraction of the said mineral including the erection on the said lands, buildings and plant required for the purposes and also to take lead and carry away over the said lands and to dispose off the said minerals extracted as aforesaid.
2. The lessee shall during the subsistence of this lease have the liberty to work the said mineral and remove the same from the quarry hold on permits issued by the competent authority or any other officer authorised by him in this regard. The permits shall be issued only on the basis of pre-paid royalty at the rates specified in schedule I to these Rules. The royalty rates shall be subject to revision from time to time as the State Government may order.
3. The lessee shall pay to the State Government an yearly surface rent equal to the land revenue if any, assessable under the rules for the time being the force, or if the land be the property of Government or in reserve forest then equal to the land revenue plus cess, if any per hectare of the land the surface whereof shall be occupied or used by the lessee for any of the purposes of this demise and so in proportion for any area less than a hectare. The said surface rent shall be paid by yearly payments, the first of such payments to be made on or before the last day of the first year of occupation provided always that no such rent shall be paid or demanded in respect of any roads or ways now in existence.
4. The lessee shall at all time during the currency of this demise keep correct and intelligible books of account showing accurately the quantity of the said minerals extracted and the weight and value of the said mineral sold or exported together with the names of the purchasers or consignees. The lessee shall also, maintain a register of employees showing therein separately men, women and children employed daily and shall at all reasonable times allow the competent authority appointed under the rules (hereinafter referred to as "competent authority") or the officer authorised by him to examine the said books of account and the register of employees and to take copies and extracts there from. The lessee shall submit reports in Forms 'F' and 'G' on the specified dates.
5. All sums found due under or by virtue of this deed from the lessee may be recovered from him jointly and severally from them and his properties movable and immovable under the provisions of the Revenue Recovery Act for the time being in force as though such sums are arrears of land revenue or in any other manner as the State Government may deem fit.
6. The lessee shall at the lessee's own expense erect and at all time maintain and keep in repair boundary marks and pillars along the boundaries of the said lands according to the demarcation shown in the plan hereto annexed.

For BLUE CHIPS MINES AND INDUSTRIES

T. Baburaj  
Mg. Partner

26/08/2011  
A. K. MANOJ  
Geologist

District Office of the Department of  
Mining and Geology, Palakkad.

7. No quarrying operations or working shall be carried on or permitted to be carried on by the lessee in or under the said lands at any point within a distance of 75 meters from any railway line except with the previous permission in writing of the railway administration concerned; and from any bridge on the National Highway or 50 meters from any reservoir, canal or other public works such as public roads and buildings or inhabited site, burial ground etc. shown on the plan thereto annexed except with the previous permission in writing of the State Government or otherwise than in accordance with such instructions, restrictions and condition either general or special which may be attached to such permission. The said distance of 50 meters shall be measured in the case of a railway, reservoir, or canal horizontally from the outer edge of the bank or outer edge of the cutting, as the case may be and in the case of a building horizontally from the plinth thereof. In the case of village roads, no workings shall be carried on within a distance of 10 meters of the outer edge of the cutting except with the previous permission in writing of the State Government. For the purposes of this clause the expression "railway and railway administration" shall have the same meaning as defined in sub section (4) and (6) of section 3 of Indian Railway Act, 1890 (IX of 1890).
8. The sides of open workings shall sloped, stepped or secured by the lessee in such a manner as to prevent danger from falls of material, when an open working is worked in steps, steps shall be of sufficient breadth in relation to their height to secure safety. In open workings trees liable to fall and all loose ground and material shall be removed by the lessee sufficiently far from the edge or otherwise made source in order to prevent danger to persons employed in the quarry.
9. If a working place is found to be unsafe all persons shall be withdrawn by the lessee immediately from the dangerous area and all access to such working place except for the purpose of removing the danger of saving life shall be prevented by securely fencing the full width of all entrances to the place.
10. The lessee shall at all reasonable times allow any officer authorised by the Central Government or by the State Government in that behalf to inspect the said lands and the buildings and plants erected thereon and the lessee shall assist such persons in conducting the inspection and afford them all information they may reasonably require, and shall conform to and observe all orders which the Central and State Governments as the result of such inspection or otherwise, may from time to time pass.
- 10A The lessee shall be responsible for implementing the provisions of the various labour laws applicable, from time to time to the quarry.
11. The lessee shall not assign or underlet the said lands or any part thereof or the rights or privileges, therein hereby granted or any of them without the previous permission in writing of the competent authority.

For BLUE CHIPS MINES AND INDUSTRIES

T. Baburaj  
Mg. Partner

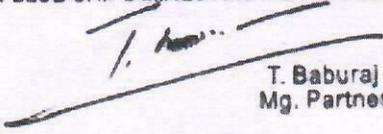


A. K. MANOJ  
Geologist

District Office of the Department of  
Mining and Geology, Palakkad.

- 11A Where the lease or any right, <sup>12</sup> title or interest therein has been assigned, sublet or transferred as provided in rule 34 read with condition 11, then the person in whose favour such assignment, sublease or transfer has been made shall be responsible for implementing the provisions of the various labour laws applicable, from the time to time, to the quarry.
12. The lease may be surrendered by the lessee at any time after 3 months notice in writing to the competent authority.
- Provided that the lessee has paid all sums due on account of the lease. Provided further that if the lessee elect to determine this lease before the expiry of the term of the lease, shall pay in addition to other dues a sum equal to the dead rent payable for the remaining part of the terms of the lease deed.
13. On the expiration of the term of this lease or on its earlier determination under clause 12 the lessee shall pay to the State Government for all land which has been rendered useless for agriculture through the exercise of the powers demised by this lease such sum as the District Collector may fix as equivalent to the capitalized value or the land revenue of such land rendered useless. The lease shall continue if the sums are not cleared before the date of determination of notice.
14. If the lessee shall be desirous of taking a further lease of the said lands for a further term of years he shall give three months previous notice in writing of such desire to the competent authority and if the lessee has duly observed all the conditions of this lease, the competent authority may agree to renew the lease for such further term and on such terms and conditions as the competent authority may determine which shall be in accordance with the provisions of these rules.
15. If the lessee shall at any time during the said term use the said lands or any part thereof in any manner other than an authorised by this lease or fail to carry on quarrying operations continuously without sufficient cause of which the competent authority shall be the judge or shall commit a breach of any of the conditions of this lease it shall be lawful for the competent authority to cancel this lease and take possession of the said lands or in the alternative to receive from the lessee such penalty for the breach not exceeding five times the amount of the said yearly dead rent as the competent authority may fix.
16. If at the expiration of three calendar months after the expiry of the lease or its sooner determination, there shall remain in or upon the said lands, any engines, machinery, plant buildings, structures and other works erections and conveniences the said minerals or other property which the lessee is entitled to remove from the said lands, the same shall, if not removed by the lessee within one calendar month after notice in writing requiring their removal be given to the lessee by the competent authority be deemed to become the property of the State Government in such manner as they may deem fit without liability to pay any compensation or to account to the lessee in respect thereof.
17. This lease is subject to all rules and regulations which may from time to time be issued by the State Government regulating the working of the quarries and other matters affecting the safety, health and convenience of the lessee's employees or of the public, whether under the Indian Mines Act or other wise.

For BLUE CHIPS MINES AND INDUSTRIES

  
T. Baburaj  
Mg. Partner

  
26/02/2011

A. K. MANOJ  
Geologist  
District Office of the Department of

18. The lessee shall without delay send to the District Collector and the competent authority or the officer authorised by him in this regard report of any accident causing loss of life or serious bodily injuries or seriously affecting or endangering life or property which may at any time occur at or in the said lands in the course of operations under this lease.
19. The lessee shall furnish such reports and returns relating to output, labourers employed and other matters as the State Government may prescribe.
20. The lessee shall make and pay such reasonable satisfaction and compensation as may be assessed by lawful authority in accordance with the law in force on the subject for all damage, injury or disturbance which may be done by him in exercise of the powers granted by this lease and shall indemnify and shall keep indemnified fully and completely the State Government against all claims which may be made by any person or persons in respect of any such damage, injury or disturbance and all costs and expenses in connection therewith.
21. Any condition prescribed in the Kerala Minor Mineral Concession Rules, 1967, but left out in this lease which may be found applicable to the lessee shall be treated as binding on the lessee. In this case anticipated royalty for the mineral at the rate of Rs.16/- (Rupees Sixteen only) per tonne for a period of one year is Rs.16,00,000/- (Rupees Sixteen lakhs only).
22. Dead rent realizable at the rate of Rs. 1<sup>st</sup> year Nil, 2<sup>nd</sup> year Rs.200/-, 3<sup>rd</sup> year onwards Rs.800/- per hectare subject to revision from time to time. Surface rent at the rate of Rs.100/- (Rupees One hundred only) per hectare for One year is Rs.161/- (Rupees One hundred and Sixty one only) security deposit is Rs.1,000/- (Rupees One thousand only).

For BLUE CHIPS MINES AND INDUSTRIES

T. Baburaj  
Mg. Partner

650-  
161  
851  
Special Condition

The lessee should leave a distance of 50 meters from the Forest boundary while carrying out quarrying operations.

For BLUE CHIPS MINES AND INDUSTRIES

T. Baburaj  
Mg. Partner

A. K. MANOJ  
Geologist  
District Office of the Department of  
Mining and Geology, Palakkad.

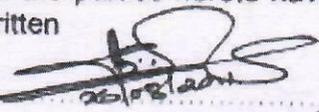
14  
The schedule above referred to Description of Land

District Taluk	Village	Survey No. of the area	Area in Hectares
Palakkad Ottappalam	Chalavara	168/11A	1.6100 Hectares

Bounded by  
 Sy. Nos.

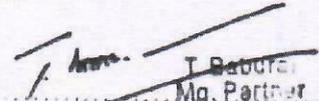
- On the North by 168/11Apt
- On the East by 168/11Apt
- On the South by 168/11Apt
- On the West by 168/11Apt

In witness whereof the parties hereto have set their hands hereunto on the day and year first above written

Signed by  **A. K. MANOJ**  
 Geologist  
 District Office of the Department of  
 Mining and Geology, Palakkad.  
 for and on behalf of the Governor of Kerala

In the presence of

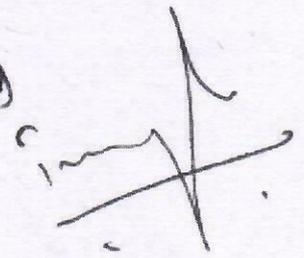
1. Vinod M. U., Asst. Geologist, District office, } 5000/-  
 Dept of Mining & Geology, Palakkad } 22.08.11
- Shyju P., Asst. Geologist, Dist office }  
 of the dept of Mining & Geology, Palakkad } 2000/-
2. For BLUE CHIPS MINES AND INDUSTRIES

Signed by  **T. Baburaj**  
 Mg. Partner

for and on behalf of the lessee / lessees

1. Thomas Babu, S/o. T. Baburaj, Thottalhill (M)  
 Nedumbanery P.O., Aluva - 683 585

2. C. Rajagopala (Partner)  
 HARIPRIYA  
 VALIAPRIZHA 679336.





☎ General: 0471-2312910, 2318153, 2318154, 2318155 Chairman: 2318150 Member Secretary: 2318151  
E-mail: ms.kspcb@gov.in FAX: 0471-2318134, 2318152 web: www.keralapcb.nic.in



## KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram - 695 004  
പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004

PCB/HO/TAC/GoM/953/2014

Date: 01/10/2015

### CIRCULAR

Sub:- Consent of the Board for quarrying activity – reg.

- Ref:-
1. This office circular of even no. dated 09.09.2015
  2. This office letter of even no. dated 22.04.2015
  3. Judgment dated 13.01.2015 of the NGT, Chennai in OA. No. 123 of 2014 and MA. No. 419 of 2014 and relates cases.
  4. Judgment dated 15.07.2015 of the Hon'ble High Court of Kerala in WA No. 1514 of 2015 in WP(C) No. 7781/2015
  5. Judgment dated 07.08.2015 of the NGT, Chennai in OA. No. 400 of 2013

In partial modification of the circular under reference (1) the following is ordered for immediate compliance.

The Hon'ble Supreme Court vide order dated 27.02.2012 in I. A. No. 2-13 of 2011 in SLP(C) No. 19628 – 19629 of 2009 ordered that leases of minor mineral including their renewal for an area of less than 5 ha be granted by the States / UTs only after getting Environmental Clearance from the MoEF. Hence Environmental Clearance is applicable at the time of renewal of mining lease in the case of existing quarries on lease hold.



**DINESH. K. S.**  
Environmental Engineer  
Kerala State Pollution Control Board  
District Office, Palakkad

However in case of permit quarries, as the judgment under reference (4) continues to be in force, for obtaining Board's consent for permits quarries, Environmental Clearance shall be insisted.

Sd/-  
CHAIRMAN

To

1. The Chief Environmental Engineer  
Regional Office, EKM

The Senior Environmental Engineer  
Regional Office, TVM/ KKD

The Senior Environmental Engineer  
District Office, Palakkad

The Environmental Engineer  
District Office, TVM / KLM / PTA / KTYM / ALPY / IDK, EKM 1, 2  
(Perumbavoor) & 3 (ESC) / TSR / KKD / MILPM / WYND / KNR / KSGD

2. All Technical Officers in Head Office
3. To IT Cell (for uploading the circular in Board's website)
4. CA to Chairman
5. CA to Member Secretary

Approved for issue

  
Environmental Engineer - 1

  
DINESH K S  
Environmental Engineer  
Kerala State Pollution Control Board  
District Office, Palakkad



KERALA STATE POLLUTION CONTROL BOARD

DISTRICT OFFICE, PALAKKAD  
NEAR DISTRICT PANCHAYATH OFFICE, PALAKKAD - 678 001  
www.kspcb.kerala.gov.in

ആയുധം  
തീയതി: 26/06/2023

In reply please refer to ഹിസ്രിബി/ഹിഎൻകെഡി/ടിജി 328/2020

തീയതി 26/06/2023

ഭരണഭാഷ- മാതൃഭാഷ

പ്രേഷകൻ

എൻവയോൺമെന്റൽ എഞ്ചിനീയർ

സ്വീകർത്താവ്

കൽപക മെറ്റൽ ക്രഷർ,  
കയിലിയാട് പി.ഒ.,  
ചുള്ളവറ,  
പാലക്കാട് - 679122.

സർ,

വിഷയം- താങ്കളുടെ കൽപക മെറ്റൽ ക്രഷർ എന്ന സ്ഥാപനത്തിന്റെ പ്രവർത്തനം സംബന്ധിച്ച്.

താങ്കളുടെ ഉടമസ്ഥതയിൽ പ്രവർത്തിച്ചിരുന്ന M/S കൽപക മെറ്റൽ ക്രഷർ ക്വാറിയുമടക്ക് എതിരെ ശ്രീ.ശങ്കരൻ, അത്താണിക്കൽ വീട്, ബഹു ദേശീയ ഹരിത ട്രിബ്യൂണലിൽ നാമർപ്പിച്ച പരാതിയുടെ അടിസ്ഥാനത്തിൽ 04.02.2023 നടത്തിയ പരിശോധന ക്വാറിയിൽ നിന്നുള്ള മേൽമണ്ണ്, ബാക്കി വരുന്ന കല്ലും മണ്ണും ക്രഷർ പരിസരത്ത് നിക്ഷേപിച്ചതായി കണ്ടെത്തിയിരുന്നു. താങ്കൾക്ക് നൽകിയ പാരിസ്ഥിതിക അനുമതി (EC) പ്രകാരം ഇത്തരത്തിലുള്ള അവശിഷ്ടങ്ങൾ ശാസ്ത്രീയമായി ക്വാറി restoration ഉപയോഗിക്കണം എന്ന് നിഷ്കർഷിച്ചിട്ടുണ്ട്. ഈ ഓഫീസിൽ നിന്നും 08.06.2023 ൽ നടത്തിയ പരിശോധനയിലും ഈ അവശിഷ്ടങ്ങൾ restore ചെയ്യുന്നതിന് വേണ്ട നടപടികൾ സ്വീകരിച്ചിട്ടില്ലെന്ന് കണ്ടു. ആയതിനാൽ ക്രഷർ പരിസരത്തുള്ള ക്വാറിയിൽ നിന്നുള്ള അവശിഷ്ടങ്ങൾ അടിയന്തിരമായി restore ചെയ്യുന്നതിന് വേണ്ട നടപടികൾ സ്വീകരിച്ച ഈ ഓഫീസിൽ റിപ്പോർട്ട് ചെയ്യേണ്ടതാണ്.



  
**DINESH. K. S.**  
Environmental Engineer  
Kerala State Pollution Control Board  
District Office, Palakkad



വിശ്വസ്തതയോടെ,  
  
എൻവയോൺമെന്റൽ എഞ്ചിനീയർ

## TRANSLATION OF THE LETTER SUBMITTED

KALPAKA METAL CRUSHERS

An ISO 9001 – 2008 Certified Company

Kayiliyad Post, Shornur Via, Palakkad Dist. Pin: 679122

Ph: 0466 320 7696, Mob: 9747381562, 9656344443, E-mail: kalpakametals@gmail.com

Date: 07.07.2023

To

Environmental Engineer

Pollution Control Board

Palakkad

Sir,

Sub:- In reply of letter PCB/PLKD/TG-338/2020 dated 26.06.2023

I am informing you that on the basis of the complaint against the Kalpaka Metal Crusher unit owned by me, the company's operation will proceed only by strictly following the instructions directed by your office. I would like to remind you that the petitioner filed his complaint in 2018 during a flood. It has already been ensured that the quarry's trash does not end up elsewhere. However, humbly informing you that we immediate action shall be taken to move the topsoil and burden deposited at crusher area and used to reclamation of the mined pit.

Yours faithfully,



A handwritten signature in blue ink, appearing to be "Dinesh K. S.", written over a horizontal line.

Signature

**DINESH. K. S.**  
Environmental Engineer  
Kerala State Pollution Control Board  
District Office, Palakkad





**KERALA STATE POLLUTION CONTROL BOARD**  
 കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്  
 ജില്ലാ ഓഫീസ്, പാലക്കാട്  
 DISTRICT OFFICE, PALAKKAD  
 NEAR DISTRICT PANCHAYATH OFFICE, PALAKKAD – 678 001  
[www.keralapcb.nic.in](http://www.keralapcb.nic.in)

In reply please refer to : PCB/PLKD/TG-338/2020

Date : 26.06.2023

TRANSLATION OF LETTER TO ENGLISH

From

The Environmental Engineer

To

Kalpaka Metal Crushers,  
 Kayiliyad P.O,  
 Chalavara,  
 Palakkad – 679122.

Sir,

Sub:- Regarding the operation of your company Kalpaka Metal Crusher.

Please recall the inspection conducted on 04.02.2023 in your quarry Kalpaka Metal Crusher based on the petition filed by Sri. Sankaran, Athanikkal House, to the Hon. National Green Tribunal, it was found that topsoil from the quarry remaining stone and soil had been deposited in the crusher premises. According to the Environmental Clearance (EC) given to you, it has been directed that this type of waste should be scientifically used for quarry restoration. In the inspection conducted by this office on 08.06.2023, it was seen that no steps have been taken to remove the deposited soil and over burden from the crusher and use it for quarry restoration. Therefore, steps should be taken for immediate restoration of debris from the premises of crusher unit within the quarry and it should be reported to the office.

Yours faithfully,





**DINESH. K. S.**  
 Environmental Engineer  
 Kerala State Pollution Control Board  
 District Office, Palakkad

ENVIRONMENTAL ENGINEER

Vembelethupadom  
Kailiyad P. O., Ottapalam  
Shornur, Palakkad – 679 122.

Ph. : 93880 01871, Email : thomasbluechips@gmail.com

25 May, 2023

The Senior Environmental Engineer  
The Kerala State Pollution Control Board  
District Office, Palakkad.

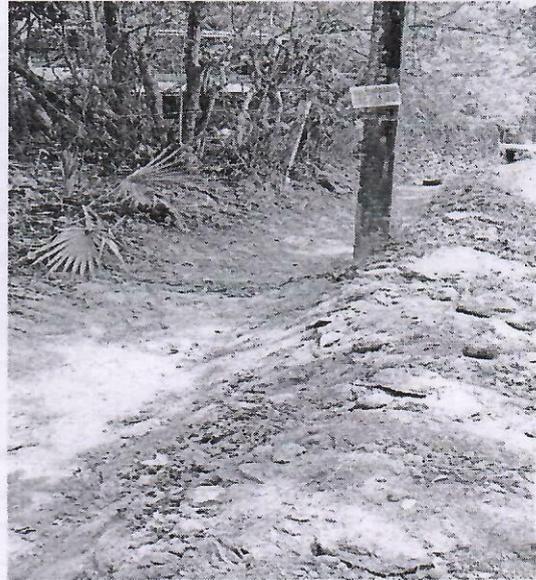


Sir,

Sub. : Pre monsoon works completed – intimation – reg.-  
Ref. : Consent No. PCB/PLKD/ICO/R3/18551592/2023 dated 10/04/2023

We may inform you that we have completed all the pre-monsoon works as directed by you during the inspections conducted at our site 04/02/2023 and on 18/04/2023. We are attaching herewith some of the photographs showing the completed works.

Clearing the drainage system – We have cleared all the drains alongside the roads from our unit.



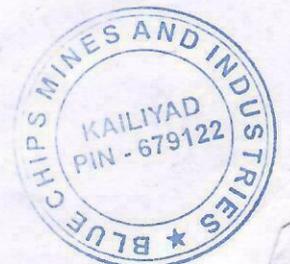
1155

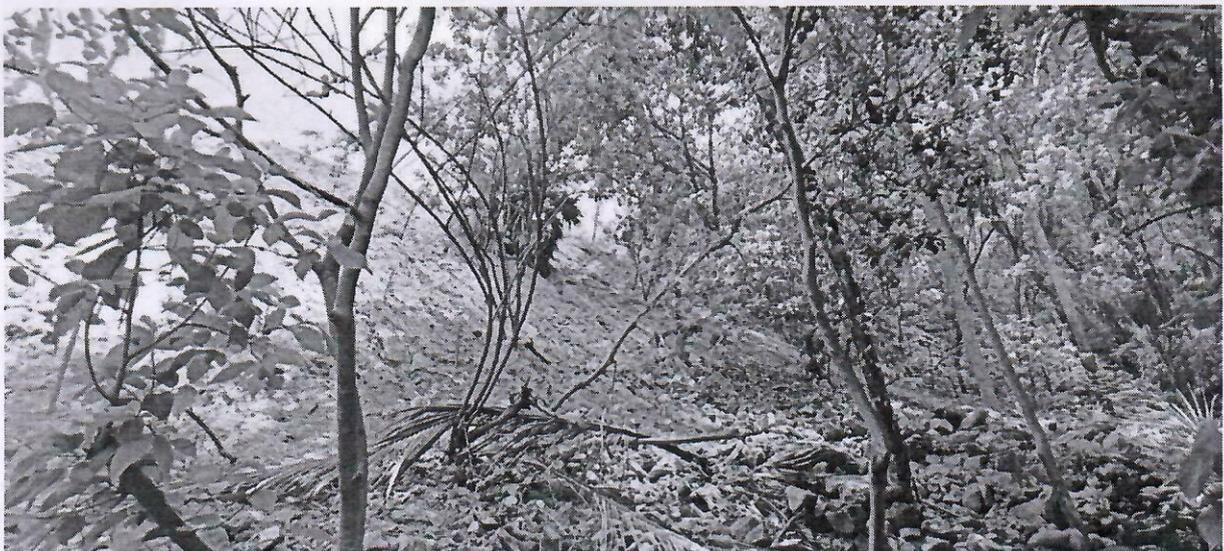
AE 2  
Shul  
01/06/23

Stacking and managing overburden - The overburden has been properly stacked in the designated area as per the mines plan and the overburden material is managed within the site itself and will be used for reclamation of the mine pit as per the mine closure plan. The height and slope of the overburden stack has been reduced considerably and we have planted some local species of trees along the slopes so as to prevent any chance of soil erosion. There is also very thick greenery all around the overburden stack, so there is no chance of any overburden material flowing.



*Shul*  
DINESH. K. S.  
Environmental Engineer  
Kerala State Pollution Control Board  
District Office, Palakkad



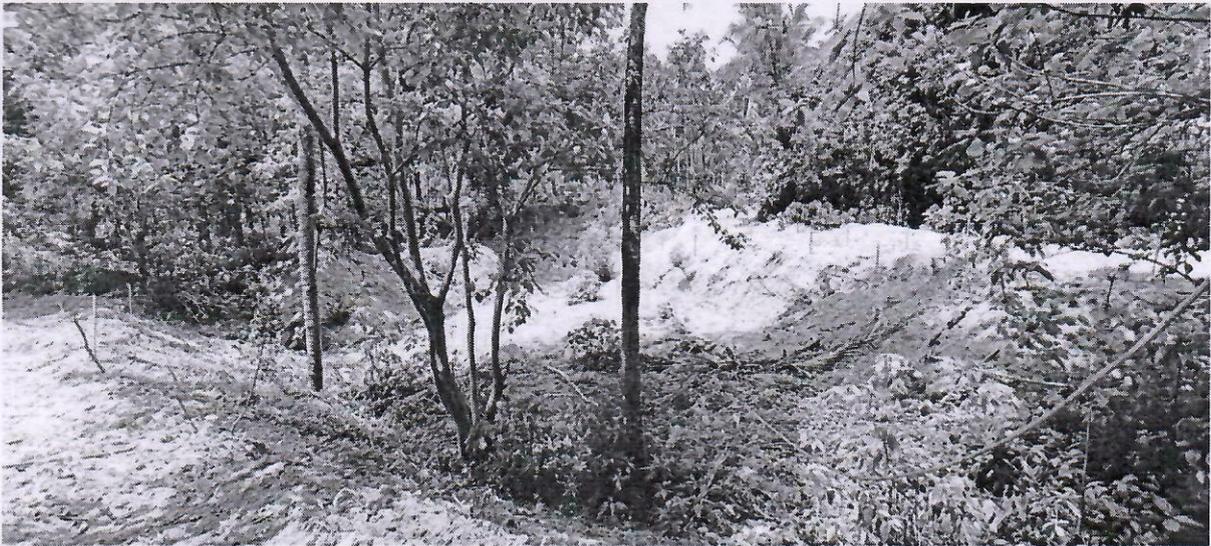


**Managing slurry** - It may please be noted that we have dismantled the crusher unit and sand plant, and hence there is zero chance of slurry or waste.

**Settling ponds** – We have cleared all the settling ponds that are located downside the overburden stack and near to our boundary wall. All the water flowing through the natural channels will be collected in the many settling ponds and any debris will get settled in the ponds and only the overflow water will go out.

Pictures showing the settling ponds and boundary wall are attached herewith. There is very thick greenery all around and the chances of pollution are minimal.





**Quarry** – All quarrying activities are done under the strict supervision of a Mines Manager, Mining Mate & Blastman following the guidelines given by the concerned departments from time to time.



**Complaint filed by Sri. Sankaran @ NGT, Chennai (SZ) - OA No. 149/2022** – We are the 8<sup>th</sup> respondent in this complaint.

We are attaching herewith the copies of photographs filed by us along with the counter in this case, which is self-explanatory. The attached photographs of the agricultural lands of the complainant shows that the complainant has filed this case without any bonafides, and we believe you too have understood this position very well during the inspection conducted by you in this regard.

We may also bring to your kind attention the following :

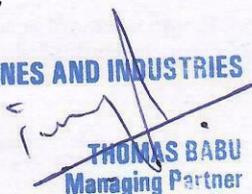
1. As stated by the petitioner himself, our unit is located 500M away from his agricultural land. There are many other lands in between ours and that of the complainant, the owners of such lands have not raised any complaints in this regard before any of the authorities.
2. Two panchayath roads, a public pond and also a canal lies in between our land and the complainants land. So if any overburden or debris had gone into the complainants land as alleged it would have covered the roads, the pond and the canal first.

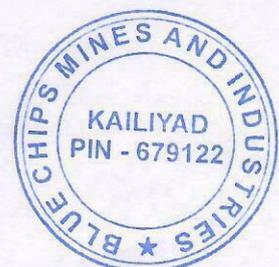
From the above itself it is very clear that the complainant has filed this complaint with ulterior motives and for making some illegal gain. We request that you may please consider the above facts also while preferring your reply / reports before the various forums.

Thanking you.

Yours faithfully,

For **BLUE CHIPS MINES AND INDUSTRIES**

  
**THOMAS BABU**  
 Managing Partner





6 February 2023 4:40 pm

Edit

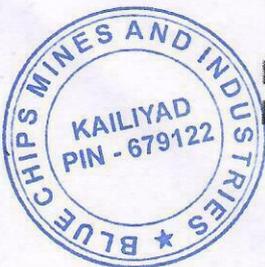
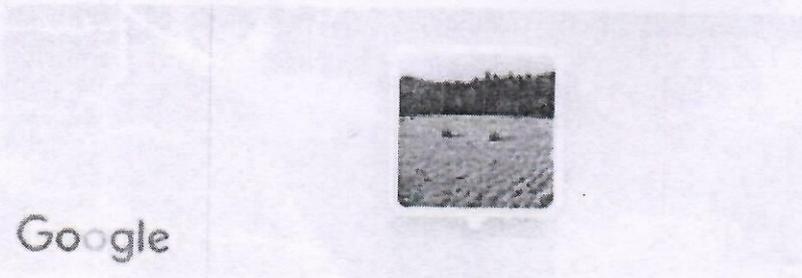
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/Internal storage/DCIM/Camera

SM-A217F

6.06 MB 4000x3000 12MP

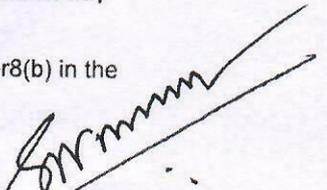
F2.0 0.0ev 1/655 s 25mm ISO 20



R822+H74, Vaniamkulam - Vallapuzha Rd, Kayiliad, Chalavara, Kerala 679523, India

This is the true copy of the document rereferred to and marked as Annexure-r8(b) in the Reply Statement.

More Skips

  
 Advocate



6 February 2023 4:50 pm

Edit

20230206\_165045.jpg

/Internal storage/DCIM/Camera

SM-A217F

5.96 MB 4000x3000 12MP

F2.0 0.0ev 1/478 s 25mm ISO 20



Google

Vaniyamkulam-I

Q8X6+22Q, Vaniyamkulam - Vallapuzha Rd, Vaniyamkulam-I, Kerala 679522, India

