

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE AT CHENNAI.**

ORIGINAL APPLICATION NO. 154 of 2021 (SZ)

A. Balasubramanian,
Thokkalikkadu Village,
Pattukkottai Taluk,
Thanjavur District – 614 701.

...Applicant

Vs

1. Union of India, Rep. By its Secretary,
Ministry of Environment and Forests
(Forest Conservation Division),
Government of India,
3rd Floor, Prithvi Wing,
Indira Parvayaran Bhawan, Jor Bagh,
New Delhi – 110 003 & 8 others.

...Respondents

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**Filed by
Tmt. Shanmugavalli Sekar,
Advocate, Chennai.**

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**REPORT FILED ON BEHALF OF THE 6TH RESPONDENT
TAMIL NADU POLLUTION CONTROL BOARD**

I, R.Sarasavani, D/o.Thiru J.Raghavan, Hindu, aged about 57 years, having my office at No. 76, Mount Salai, Guindy, Chennai -600032, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and I am filing this Report on behalf of the 6th Respondent Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the case as per records.

2. It is respectfully submitted that the applicant filed this application with the following prayer:

i. To direct the respondent authorities to take immediate measure to assess the damages that have caused, on account of the illegal quarrying operation carried out by the 4th respondent based on EC issued on 06.08.2018, and to pass necessary orders under Section 5 of the Environment (Protection) Act, 1986 to recover the same from the

Alan 30/11/22

**JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.**

4th respondent officials responsible and prosecute them in accordance with law.

ii. to direct the respondent authorities to initiate criminal prosecution against the officer's responsible in the 4th respondent, department, for violations of provisions of the environmental legislation.

3. It is respectfully submitted that the Hon'ble National Green Tribunal (SZ) passed order dated 30.07.2021 and directed inter alia as follows:

"Para 14: to appoint a joint committee comprising of (1) Senior Officer from Ministry of Environment, Forest and Climate Change (MoEF&CC), Integrated Regional Office, Chennai, (2) a senior Officer from State Environment Impact Assessment Authority-Tamil Nadu (TN-SEIAA), (3) a senior Officer from Geology and Mining Department, Govt. of Tamil Nadu, and (4) a senior Officer from Tamil Nadu Pollution Control Board (TNPCB) to be deputed by its Chairman to inspect the area in question and submit factual as well as action taken report, if there is any violation".

4. It is respectfully submitted that, in pursuance to the said NGT order dt.30.07.2021, the Joint Committee inspected the said area in question on 11.10.2021 and filed Joint Committee Report before the Hon'ble NGT(SZ), Chennai during November, 2021.

5. It is further submitted that the Hon'ble NGT in its order dated 09.02.2022, directed the Tamil Nadu Pollution Control Board to file the report before this Tribunal.

6. It is respectfully submitted that in pursuance to the said NGT order, the said area in question was inspected by the officials of the O/o. DEE, TNPCB, Nagapattinam on 02.11.2022 and during inspection the following observations were made:

i. M/s. Chinna Avudaiyar Koil Sand Quarry, S.F.No.8 & 9, Chinna Avudiyar Koil Village, pattukkottai Taluk, Thanjavur District has obtained consent to operate from the TNPC Board for quarrying of river sand 54,000

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cubic meter for 3 years over an extent of 3.0 hectares between latitude 100 20'33" N and longitude 790 20'05"E vide proceeding of the O/o. the DEE, TNPCB, Thanjavur dated 15.11.2018 valid upto 31.03.2022.

ii. Subsequently the unit vide letter dated 11.03.2020, reported that they have obtained mining lease from the District Collector, Thanjavur and proposed to commence the quarry activity on 14.03.2020 vide Executive Engineer, PWD, Mining and Monitoring Division, Thanjavur.

iii. Later the Executive Engineer, WRD, Mining and Monitoring Division, Thanjavur reported that quarry was stopped on 02.02.2021. Also they have reported vide letter dated 14.02.2022 that since the quarry has been exhausted by Water Resources Department by mining of 53863m³ of sand which is within approval quantity of 54000 m³ and hence renewal of consent of the Board does not arise.

iv. During inspection on 02.11.2022, it was observed that the quarry activity was stopped and found to be not under operation.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstance of this case and thus render justice.

Alan
30/11/22
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

BEFORE ME

VERIFICATION

I, R.Sarasavani, D/o.Thiru J.Raghavan, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai, do hereby verify that the contents of above report are true to the best of my knowledge through records.

Alan
30/11/22
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6TH RESPONDENT - TAMIL NADU
POLLUTION CONTROL BOARD**

**Advocate for Respondent TNPCB:
Tmt. Shanmugavalli Sekar,
Advocate, Chennai.**

Date:01.12.2022.

Date of hearing on :08.01.2023

