

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No. 154 of 2021 (SZ)

IN THE MATTER OF:

A Balasubramanian

Thanjavur

...Applicant(s)

Versus

Union of India,

Represented by its Secretary,

MoEF & CC, New Delhi and Ors

...Respondent(s)

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Standing Counsel – Tamil Nadu

National Green Tribunal

Southern Zone

BEFORE THE NATIONAL GREEN TRIBUNAL**SOUTHERN ZONE, CHENNAI****Original Application No. 154 of 2021 (SZ)****IN THE MATTER OF:**

A Balasubramanian,

Thokkalikkadu Village,

Pattukottai Taluk,

Thanjavur – 614 701

...Applicant(s)

Versus

1. The State of Tamil Nadu – Environment and Forest Department
Fort St. George,
Chennai – 600 009
2. Department of Mines and Geology
Alandur Road,
Guindy Industrial Estate,
Chennai – 600 032
3. Public Works Department
Kamarajar Promenade,
PWD Estate,
Chepauk, Triplicane,
Chennai – 600 005
4. The Collector Office,
AVP Azhagammal Nagar,
Thanjavur – 614 701
5. The Tahsildar,
Pattukotai,
Thanjavur – 614 701
6. Ministry of Environment, Forest and Climate Change,
Indira Paryawaran Bhawan Delhi,
New Delhi – 110 003

7. Tamil Nadu Pollution Control Board,
Mount Salai,
Guindy,
Chennai – 600 032

8. The Executive Engineer,
PWD, WRD, Mining and Monitoring Division,
Tthanjavur – 600 058

...Respondent(s)

REPORT FILED BY THE GOVERNMENT PLEADER

ENTIRE LIST OF WRIT PETITIONS

I, Dr. D. Shanmuganathan, Standing Counsel of Tamil Nadu, National Green Tribunal, Southern Zone is fully aware of the facts and circumstances of the case.

1. It is submitted that, following the order by the Hon'ble National Green Tribunal on 21.04.2023 the entire set of documents as well as status on date of the several Writ Petitions pending before the Hon'ble High Court of Madras – Madurai Bench with respect to the same lease granted in favor of the Public Works Department are attached along with this report.
2. The tabular column signifies the list of Writ Petitions pending under the Hon'ble High Court Madras – Madurai Bench are as follows:

S. No.	Writ Petition No.	Current Status
1.	W.P (MD) No. 13712 of 2020 (Main case)	Pending
2.	W.P (MD) No. 12937 of 2011	Pending
3.	W.P (MD) No. 14735 of 2011	Pending
4.	W.P (MD) No. 10471 of 2020	Pending
5.	W.P (MD) No. 2901 of 2012	Pending
6.	W.P (MD) No. 7045 of 2020	Pending
7.	W.P No. 6761 of 2012	Pending
8.	W.P No. 2884 of 2012	Pending
9.	W.P (MD) No. 6312 of 2020	Pending
10.	W.P (MD) No. 4684 of 2020	Pending
11.	W.P No. 15827 of 2014	Closed with No Costs
12.	W.P No. 4984 of 2018	Disposed with No Costs

13.	O.A No. 161 of 2020	Disposed
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3. It is submitted that, these are the list of linked Writ Petitions along with the said Original Application No. 154 of 2021 (SZ).

It is therefore prayed that this Hon'ble Tribunal may be pleased to accept this compilation on file and pass such further other orders which it deems fit to the case and thus render justice.

Date: 05.09.2023



Standing Counsel, TN
National Green Tribunal,
Southern Zone

Verification

I, Dr. D. Shanmuganathan, Standing Counsel of Tamil Nadu, National Green Tribunal, Southern Zone, solemnly affirm that the contents of this Report are true to the best of my knowledge based on the records and I have not suppressed any facts.

Date: 05.09.2023



Standing Counsel, TN
National Green Tribunal,
Southern Zone

(4)

Annexure - I

With Whole
Type Set

1

IN THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

W.P.(MD).No. 13712 of 2020

Venkateshwaran,
S/o.Sivasubramanian,
Maliyakadu Village and Post,
Nadimuthu Via,
Pattukottai Taluk,
Thanjavur District.

- - - Petitioner

- - Vs - -

1. The Project Director,
Sand Quarry Operations,
Public Works Department, WRO,
PWD Office Campus,
Kalasara Mahal,
Cheppauk,
Chennai-5.

2.The District Collector,
Thanjavur District,
Thanjavur.

3. The Executive Engineer,
Water Resources Department,
Public Works Department,
Mining and Monitoring Division,
Thanjavur,

4. The Thasildar,
Taluk Office,
Pattukottai,
Thanjavur District.

- - - Respondents

AFFIDAVIT

I, Venkateshwaran, son of Sivasubramanian, Hindu, aged 55 years, residing at Maliyakadu Village and Post, Nadimuthu Via, Pattukottai Taluk, Thanjavur District, now temporarily come down to Madurai, do hereby solemnly affirm and sincerely state as follows:

Page No.1

D. Sivasubramanian

Corrn:

(1) I am the petitioner herein and as such I am well acquainted with the facts and circumstances of the case.

(2) I submit that I am filing this writ petition challenging the impugned order passed by the 2nd respondent in his proceeding in R.C.No.280/Mines/2018 dated 10.02.2020.

(3) I humbly submit that I am actively participated in the social activity in and around Pattukottai Taluk. The village namely Maliyakadu, Chinna Aavudaiyur Kovil, Thokkalikadu, Magilankottai and Rajamadam is situated within three km at Bengal. The main water sources of that village is Mahasamuthiram, Agni River. Both the river crossed my village and thereafter the river entered into sea. I and my village members were cultivated the land by using the river such as Mahasamuthiram river, Agni River. Due to take the sand, sea water was entered into the village in the year 2014.

(4) I humbly submit that the entire village people are pond hope only from the income of agriculture and they have no any means for survival except the income from the agri. In the meantime the 2nd respondent without following due processes of law, he passed impugned order to permit to carry by using the cattle at the river for three years or total quantity of 54000 m³. Therefore I am filing this writ petition to challenge the impugned order in proceeding in R.C.No.280/Mines/2018 dated 10.02.2020 for the following among other grounds.

GROUND

- a) The impugned order passed by the respondent is against the principal of natural justice.
- b) The respondent did not hear the public before passing the impugned order for permit to carry the Bullock cart.

Page No.2

Corrn:

[Handwritten Signature]

(6)

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- c) The quarry of mining lease was conducted by the Tamilnadu government. There is no lease was granted to private person to conduct the sand quarry. But the 2nd respondent without following the procedure lay down by the Tamilnadu government, he simply granted permission in against the law.
- d) The sand is main natural resource and the Government alone is owner of the natural resources. But the 2nd respondent simply gave permission to carry the sand is against the law.
- e) The 2nd respondent has not considered that due to take the sand, the sea water enter into the village and damaged the village in the year 2014. But he did not considered before pass the permission.
- f) The permission granted by the 2nd respondent is violated the Article 14 of the constitution of India. The impugned order reveals that permission to quarry by using new bullock card alone, but he did not give any permission by using the tractor or any other way of quarry. Moreover the respondent permitted sand quarry for three year is against the law.
- g) The petitioner's village people gave objection for sand quarry in 146, Agniyaru, China Avudaiyar Kovil for taking necessary action and the same was forwarded to the 2nd respondent for taking action, irregularities if noted on the proceeding of the State Level Environmental Impact Assessment Authority in Lr.No.1833/SSEIAA/2013 dated 29.05.2013. But the 2nd respondent has not considered before passing the impugned order.

Page No.3

Dr. Anandaraman

Corrn:

- h) The petitioner's village people gave objection for sand quarry in Agniyaru for taking necessary action and the same was forwarded to the 2nd respondent for taking action on the proceeding of the State Level Environmental Impact Assessment Authority in Na.ka.No.SEIAA TN/002396 dated 25.01.2017 which was also the 2nd respondent has not considered before passing the impugned order.
- i) The petitioner's village people gave objection for sand quarry in Agniyaru for taking necessary action and the same was forwarded to the 2nd respondent for taking action on the proceeding of the State Level Environmental Impact Assessment Authority in Na.ka.No.SEIAA TN/006534/2018 dated 25.06.2018 which was also the 2nd respondent has not considered before passing the impugned order.
- j) The petitioner gave objection for sand quarry permission by using Bullock card in survey No.8, 9 Agniyaru and to cancel the permission and the same was forwarded to state pollution control board for taking action on the proceeding of the State Level Environmental Impact Assessment Authority in Na.Ka.No.SEIAA TN/14307/Ko.No.102/2020 dated 11.05.2020 but the 2nd respondent did not conduct any enquiry and passed on order on the petitioner's representation. Moreover the 2nd respondent did not follow the instructions given by the State Level Environmental Impact Assessment Authority. If the order is to be continue, the entire agri land may convert into desert. Moreover the respondents permitted to take the sand at channel northern pond and they were damaged the river pond. The river sand was illegally taken at the Survey No.112 at Sentakottai revenue village, Maliyakadu. Therefore one among the villager filed writ petition before this Hon'ble court in W.P.No.2884 of 2012. The commission report filed by the commissioner stated that Agni Aaru is not running towards the dam and it is running west to east and turns southward which means the original river course was altered. Therefore this Hon'ble court passed order to stop to

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carry the sand quarry. Now once again, the respondent permitted to take the sand at adjacent land in survey No.8, 9 at Chinna Aavudaiyar Kovil. The original river course was altered due to the impugned order passed by the 2nd respondent.

(5) I humbly submit that I sent a representation to the 1st respondent on 09.03.2020. The 2nd respondent received the representation sent by me, but my representation has not been disposed by the 1st respondents for the past six months.

(6) I give an under taking to pay the cost if this Hon'ble Court finds that the petition is intended for personal gain or oblique motive. Further I submit that I have filed this petition out of my own funds. I submit that to my knowledge no public interest litigation arising on the same issue is filed or pending. I am not income tax assessee. I am doing agricultural work. My Aathaar Card No.378677901379

Therefore I have no efficacious and speedy remedy except to approach this Hon'ble court by invoking Article 226 of the constitution of India. No similar petition is filed or pending before any court of law for the relief prayed in this petition. The original impugned order is not available with the petitioner.

It is prayed that this Hon'ble court may graciously be pleased to dispense with the impugned order passed by the 2nd respondent in R.C.No.280/Mines/2018 dated 10.02.2020 and thus render justice.

It is therefore prayed that this Hon'ble court may graciously be pleased to stay the operation of the impugned order passed by the 2nd respondent in R.C.No.280/Mines/2018 dated 10.02.2020 and thus render justice.

In these circumstances, it is prayed that this Hon'ble court may be pleased to issue a writ order or direction particularly in the nature of **WRIT OF CERTIORARAIFIED MANDAMUS** to call for the records in R.C.No.280/Mines/2018 dated 10.02.2020 order passed by the 2nd respondent and set aside the same and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

Solemnly affirmed at Madurai on this the
day of September, 2020 the contents of this
affidavit was readout & explained to the
deponent in Tamil who perfectly under

[Handwritten signature]

BEFORE ME

S. SIVAPRAKAS
C.No.16, Madurai. 10/9/20
2020

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MEMORANDUM OF WRIT PETITION
(Under Article 226 of the Constitution of India)
IN THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

W.P.(MD).No. of 2020

Venkateshwaran,
S/o.Sivasubramanian,
Maliyakadu Village and Post,
Nadimuthu Via,
Pattukottai Taluk,
Thanjavur District.

- - - Petitioner

- - Vs - -

1. The Project Director,
Sand Quarry Operations,
Public Works Department, WRO,
PWD Office Campus,
Kalasara Mahal,
Cheppauk,
Chennai-5.

2.The District Collector,
Thanjavur District,
Thanjavur.

3. The Executive Engineer,
Water Resources Department,
Public Works Department,
Mining and Monitoring Division,
Thanjavur,

4. The Thasildar,
Taluk Office,
Pattukottai,
Thanjavur District.

- - - Respondents

WRIT PETITION

The address for service of all notices and process on the petitioner is that of his counsel M/s. S.MUNIYANDI, V.RAMALINGAM, J.JAYA ARON RAJA and M.MUTHUKUMAR, Advocates, No.102, Seenimohamed Complex, Dr.Thangaraj Salai, K.K.Nagar, Madurai - 23.

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- 2 -

The address for service of all notices and processes on the Respondent is as stated above.

For the reasons stated in the accompanying affidavit it is prayed that this Hon'ble court may be pleased to issue a writ order or direction particularly in the nature of **WRIT OF CERTIORARAIFIED** to call for the records in R.C.No.280/Mines/2018 dated 10.02.2020 order passed by the 2nd respondent and set aside the same and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

Dated at Madurai on this the 23rd day of September, 2020

Counsel for the Petitioner

S.MUNIYANDI BA.,B.L.,(En.No: 612 of 2008)
V.RAMALINGAM BA.,B.L., (En.No: 2662 of 2010)
102, Seenimohamad Complex,
Dr.Thangaraj salai, K.K Nagar, Madurai-20
Cell: 9944184176
E-Mail: muniyandiadv@gmail.com

Counsel for the Petitioner

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THANJAVUR: DISTRICT

**HIGH COURT : MADRAS
MADURAI BENCH**

W.P (MD) No. 1871^m of 2020

WRITPETITION



M/s. S.MUNIYANDI En. No.612 of 2008

V.RAMALINGAM En. No.2662 of 2010
J.JEYA ARON RAJA En. No.2925 of 2014

COUNSEL FOR THE PETITIONER

Cell No.99441 84176

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THANJAVUR: DISTRICT

HIGH COURT : MADRAS
MADURAI BENCH

W.P (MD) No. 1391^m of 2020

WRITPETITION



M/s. S.MUNIYANDI En. No.612 of 2008

V.RAMALINGAM En. No.2662 of 2010

J.JEYA ARON RAJA En. No.2925 of 2014

COUNSEL FOR THE PETITIONER

Cell No.99441 84176

IN THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

W.P.(MD).No. 12912 of 2020

Venkateshwaran,
S/o.Sivasubramanian,

- - - Petitioner

- - Vs - -

The Project Director,
Sand Quarry Operations,
Cheppauk,
Chennai-5.
And others

- - - Respondents

TYPED SET OF PAPERS

Sl.No.	Date	Particulars	Page No
1.		Aadhar Card of the petitioner	1
2	29.05.2013	Memo sent by the 2 nd respondent	2
3		Advocate Commission Report filed in W.P.No.2884 of 2012	3-24
4	25.01.2017	Memo forwarded to the 2 nd respondent	25
5	25.06.2018	Memo forwarded to the 2 nd respondent	26
6	03.01.2020	Representation given by the petitioner's village people to the respondents 2	27-38
7	10.02.2020	Impugned order passed by the 2 nd respondent	39-44
8	09.03.2020	Representation sent by the petitioner to the 2 nd respondent	45-48

Certified that the above documents are true copies of the originals.

Dated at Madurai on this the 23rd day of September, 2020

Counsel for the Petitioner

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இந்திய அரசாங்கம்
Government of India

வெங்கடேஸ்வரன்
Venkateshwaran
தந்தை சிவசுப்பிரமணியன்
Father SIVASUBRAMANIAN
பிறந்த நாள் DOB 15-10-1964
ஆண்பால் Male



3786 7790 1379

எனது

எனது அடையாளம்

Unique Identification Authority of India

முகவரி
சிவசுப்பிரமணியன்
மலியக்காடு மானியக்காடு
பட்டினத்தாட்டை தாலுகா
செண்டக்கோட்டை
மானியக்காடு தஞ்சாவூர்
கமீழாரு

Address
S.O Sivasubramanian
209BLOCK 2 MALIYAKKADU
PATUKOTTAI TALUKA
Sendakkotta: Maliyakadu
Thanjavur Tamil Nadu 614602

3786 7790 1379



www

1122-241901

1122-241901

DR. H.MALLESHAPPA,I.F.S.,
MEMBER SECRETARY



STATE LEVEL ENVIRONMENT
IMPACT ASSESSMENT
AUTHORITY,
TAMILNADU,
3rd Floor, PanagalMaaligai,
No.1 Jeenis Road, Saidapet,
Chennai-15.

Lr.No.1833/SEIAA/2013 dated 29.5.2013.

To

The District Collector
Thanjavur District
Thanjavur.

Sir,

Sub: SEIAA-TN-Petition received from public Chinna Avudiyar Koil- Pattukkottai Taluk, Objecting for sand quarry in 146, Chinna Avudiyar Koil-Agnyaru- Forwarded for inspection -Regarding.

Ref: Petition received from the Public Chinna Avudiyar Koil dt.20.5.2013.

A copy of the petition received from the Public, Chinna Avudiyar Koil village. pattukkottai Taluk is sent herewith. I request you to kindly make an inspection of the site and take necessary action. irregularities if any noticed as alleged by the public- Chinna Avudiyar Koil Village, Pattukkottai Taluk.

Copy to
Thiru S.Rajendran
S/o Thiru Sadyan
Thokkalikkadu
Mahilankottai (PO)
Pattukkottai Taluk,
Thanjavur District.614 701.

2/2
Member Secretary
SEIAA-TN.
20/5/2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS
MADURAI BENCH
(Special Original Jurisdiction)

W.P.(MD)No.2884 of 2012

P. Manivasagam,
S/o. Palayan,
President,
Thokkalikadu Panchayat,
Mahilankottai Post,
Athiramapattinam - 614 704

... Petitioner .

-Vs-

1. State of Tamil Nadu represented by its District Collector, Thanjavur District, Collectorate, Thanjavur
2. The Executive Engineer, Water Bodies, Public Works Department, Pattukkottai
3. The Revenue Divisional Officer, Pattukkottai

... Respondents

REPORT FILED BY THE ADVOCATE COMMISSIONER

1. Pursuant to the Warrant of Commission dated 28.03.2012, I issued notice to the Petitioner's counsel M/s. S.K.Mani on 31.03.2012 and to the Learned Special Government Pleader and PWD authorities on 31.03.2012. I summoned the Tahsildar to depute three Village Administrative Officers namely (1) N. Kanniah, Chinna Avudaiyar Kovil, (2) Muthukarruppan, Thokalikadu, and (3) Viswalingam, Aripurakarai. I requested the Learned Special Government Pleader to give me assistance with the help of the concerned official while inspecting the river. I engaged a photographer and also the help of Police Officials to ensure peaceful completion of my mission.

2. The Petitioner's counsel S.K.Mani, the Petitioner Manivasagam, one Balasubramanian and one Ashok were present during the inspection and assisted the counsel S.K.Mani. The

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...2...

Learned Special Government Pleader was present and offered the assistance of the officials. Hence, I proceeded with the inspection on 01.04.2012 at 11.00 AM.

3. I did the following during my inspection

a) Inspection of Maharaja Samudhiram in presence of the both the parties as stated above.

b) The Maharaja Samudhiram is running from North to South. The Northern side is elevated. The Southern side is lesser in ground level. In the Maharaja Samudhiram in the East and West side there is a river bunds at a height of about 5 & 6 feet from bed level. On the Eastern side of the dam canal leading to Raja Madam to take water from Anaikut to Raja Madam area. On the back side of the dam within the both banks there is water running area, hump and different kinds of trees and it seems if the water is little it will flow through normal area and if more water it will flow through the area where the trees of available from 1 to 1 1/4 kilometers from south of the dam the river Agni Aaru flow from West to East and take a turn towards south as referred in the FMB of the revenue records. This identity was made by myself in the presence of all the above persons and correlated with a revenue records also.

c) I went to Agni Aaru which as per my over view run from West to East and turns southwards. This river also on the western side is on a elevated level. I am able to find that some coconut trees, Casanova trees in the river promboke area on the southern side of the river Chinna Avudaiyar. Koil village is situated wherein the river take a diversion and in and out of it there are some patta land. On the river bank there are Casanova plant etc., with the concerned of the both the parties I visited the old quarry site in Survey No.112 on the southern side minimum of 50 feet to a maximum of 100 feet distance was available from the bank of the river. There was no bunds of the river available there. In the

north
qua

...3...
 northern side also 50 to 100 feet distance is available from the quarrying area.

d) Then I visited Survey No.112 and identified the 6 hectares wherein the present quarry is going on. Wherein I saw two poclains and three lorries in the quarrying site. I requested the authorities to identify the bed level and the stone that is erected on the quarry area on all four sides. When I inspected the area the Petitioner's Counsel represented as follows:-

- i) To show the bed level.
- ii) To show the outer stone.
- iii) Track created artificially.
- iv) To show the hump area.

The Respondent's side officials represented through the Learned Special Government Pleader submitted which is the bed level, the outer stone, the track created artificially and the area of hump. In this aspects my observation is that the quarrying of sand in Agni Aaru river is being done on the Northern area of that said Agni Aaru river. The width of quarry in Northern side is 100 meters. Additional 8 meters used to make artificial road in order to transport the sand through lorries. That in the hump area the sand quarried is more than 0.75 meters. But, if I take into consideration of the total height of the hump it may go upto 2.5 meters. The Petitioner indicated some area wherein the officials created artificial lorry track to facilitate the loaded lorries to pass to the road and in that area the quarried sand is put on with palm leaves. In that area it was specifically indicated by the Petitioner's counsel for violation of the sand quarried. The Petitioner side represented to note the depth of quarry in the mouth of two areas i.e., (1) the Sand Road (2) the Hump. The Respondent side represented that it is only in the Hump and real area but there is no quarrying more than .75 meters below bed level indicated by PWD authorities as per stone mark. So, there is no more than .75 meters quarry below bed level.

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4. As per the requisition of the both sides I measured that from the Northern bank of the river at distance of 127.5 meters Northwards a survey stone is being erected. It is pointed out by the PWD authorities in the stone erected regarding the bed level of Agni Aaru. The bed level is marked with blue colour in the stone erected. (Photograph). The subject matter of the quarrying site which measure about 6 hectares starts from this point i.e., the stone erected.

5. The East West length (breadth) of the quarrying site was 100 Meters. The depth was 75 Meters from the bed level. I found a little water stagnating on the ground. There was a plain surface consisting of sand. The plain surface, which extended towards north measured more than 400 Meters. On the Western side, there was some palmira and coconut trees, novel trees. On the Eastern side, after some 100 Meters Eastwards from the end of the said quarry side, I found certain bushes and tree. Un even humps of sand in the river when measured from west to east measured 100 mts and the ^{Height} depth from the bed level measured about 2.50 mts.

6. During my inspection the officials wanted to observe to me the persons who accommodated with the Petitioner one Balasubramanian and Ashok as who are none other than the encroachers who are in apprehension of being evicted. Further the officials stated that the if the hump is not removed there will not be free flow of water and the officials have to keep the bed level intact in order to consider the free flow of water.

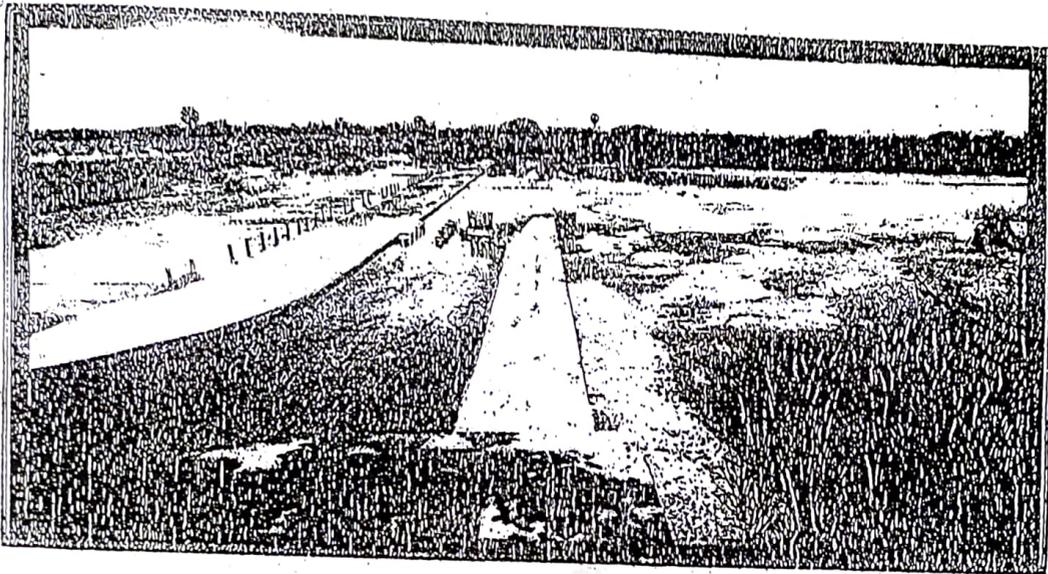
7. During my inspection I was able to notice that the Agni Aaru is not running towards the dam and it is running West to East and turns Southwards.

8. I am herewith producing the photos taken during the inspection and the sketch and the report filed by the Village Administrative Officers as above stated respectively.

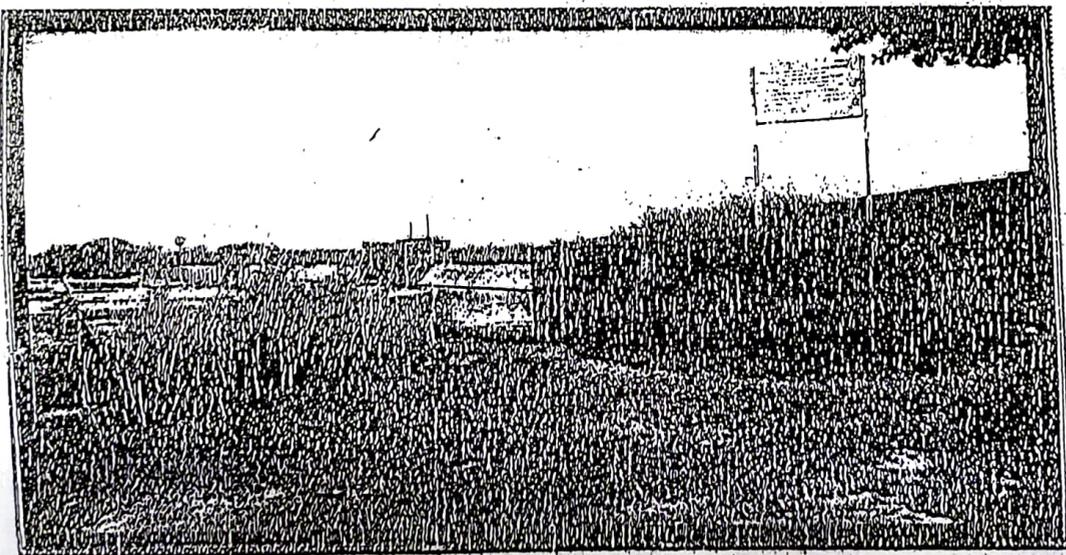
Dated at Madurai on this 10th day of April 2012


Advocate Commission

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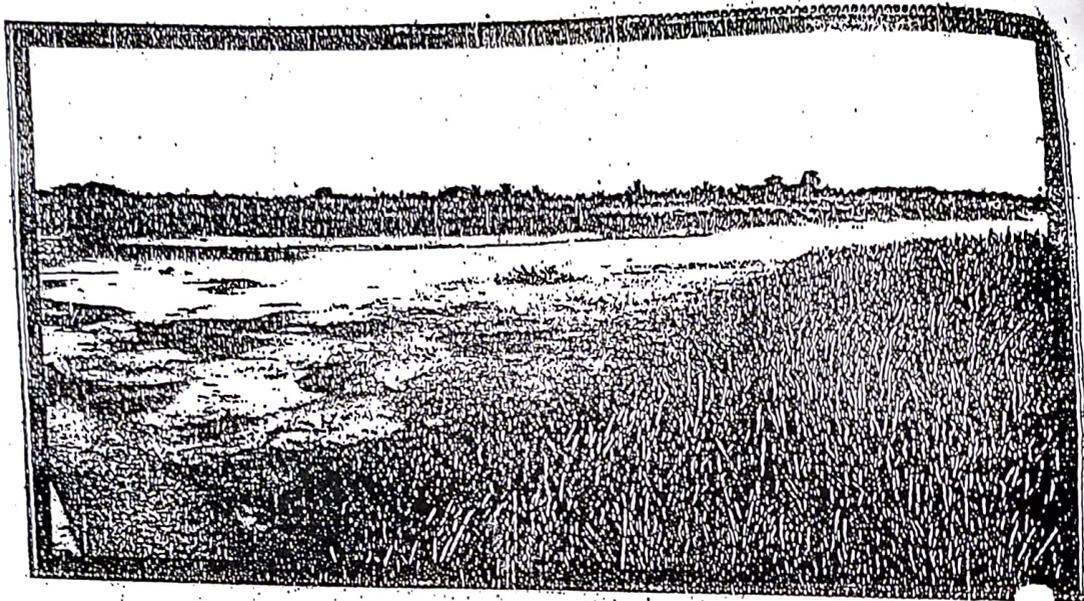


Maharaja Samudhram Dam

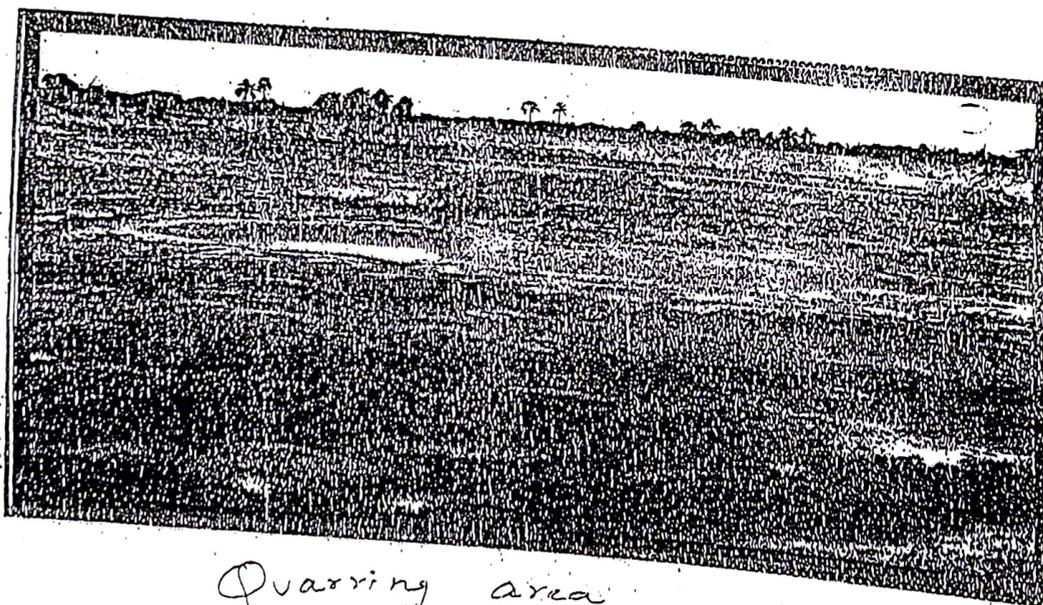


Dam

21



River flowing North to South



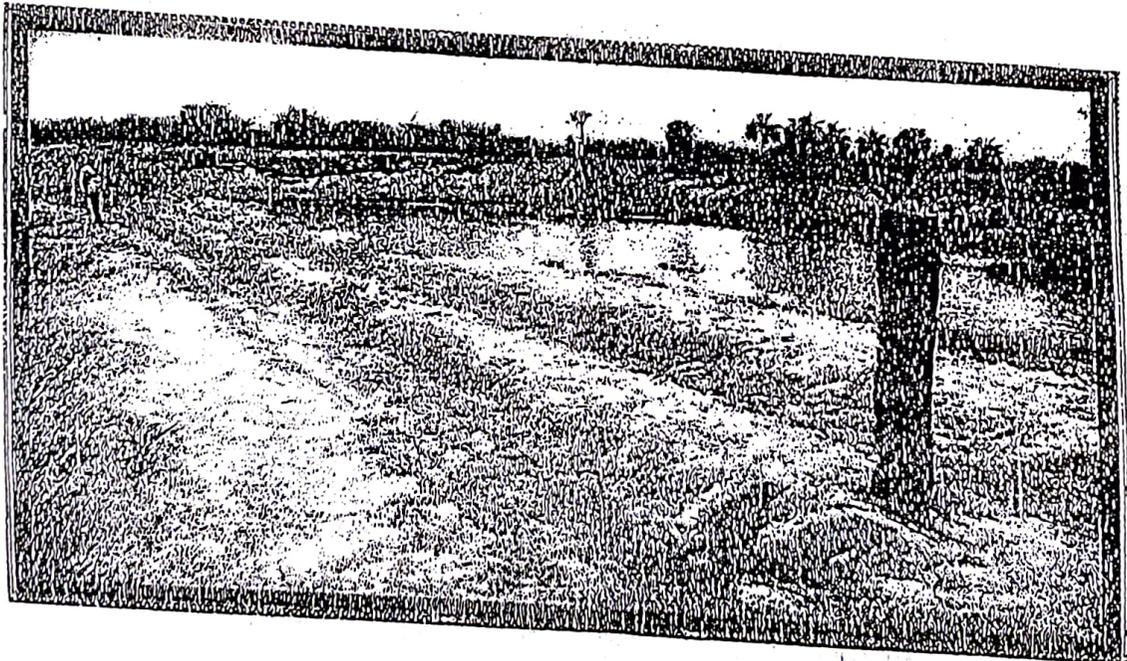
Quarrying area

22

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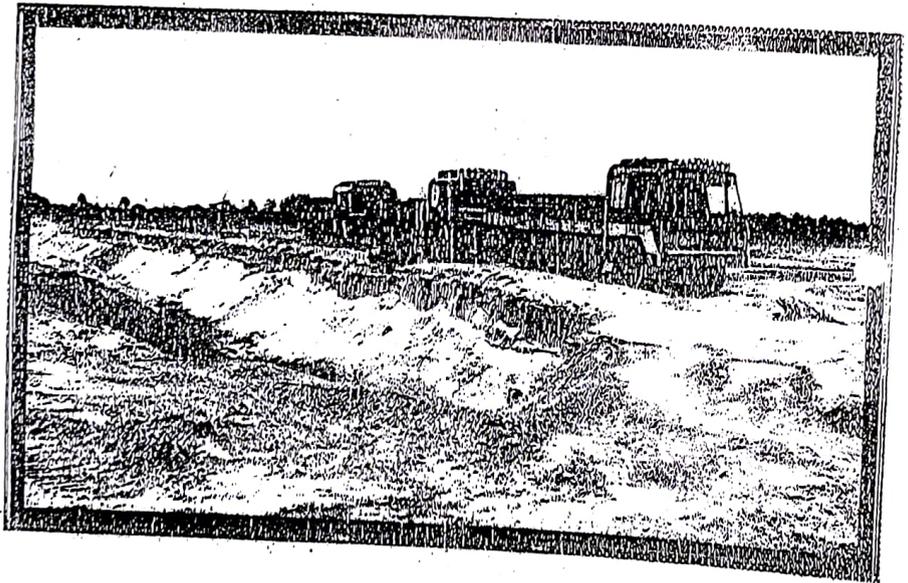
Quarrying Bed level



10

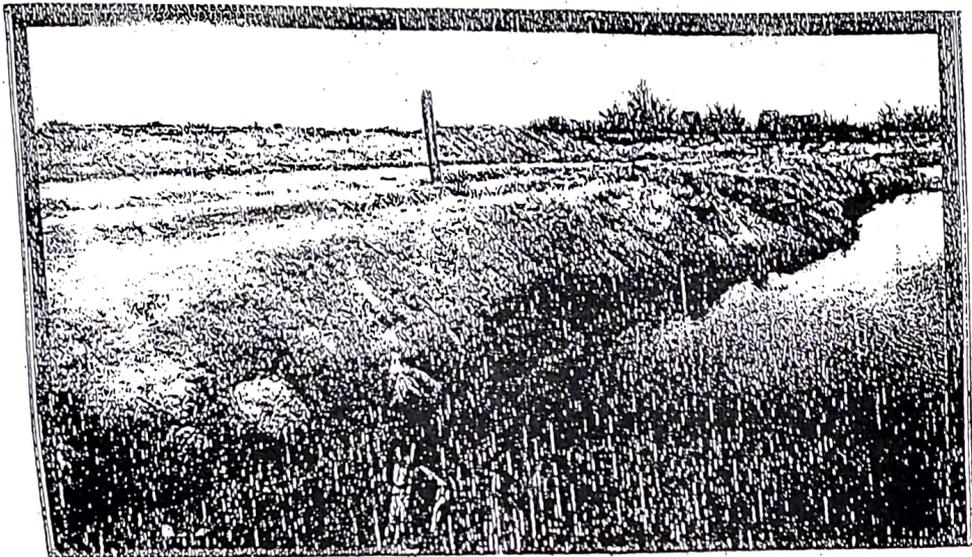


Artificial Road



24

11



Below Bed level



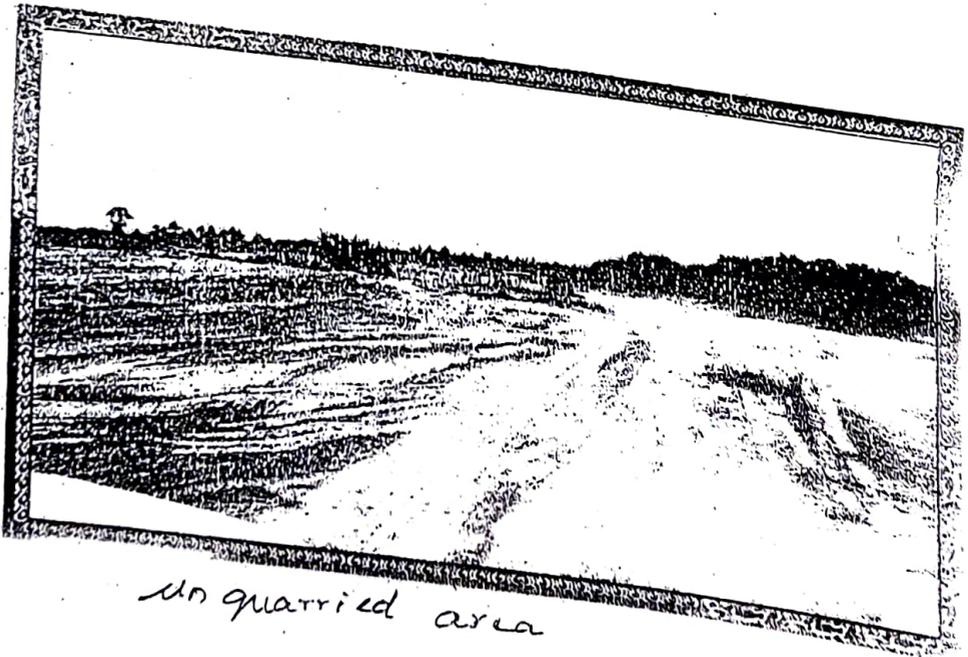
Mump

12

(25)



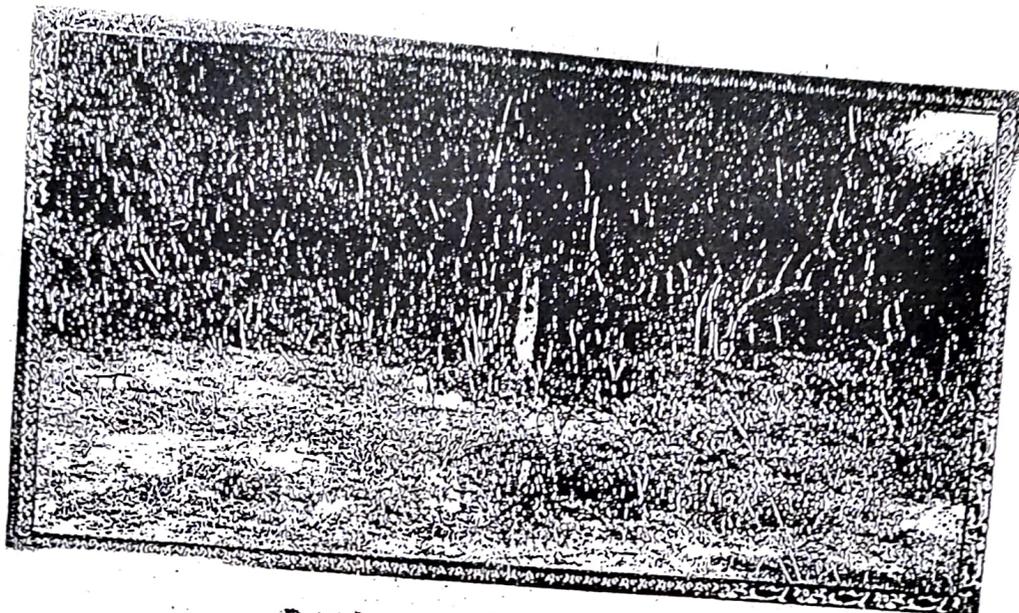
Quarrying area



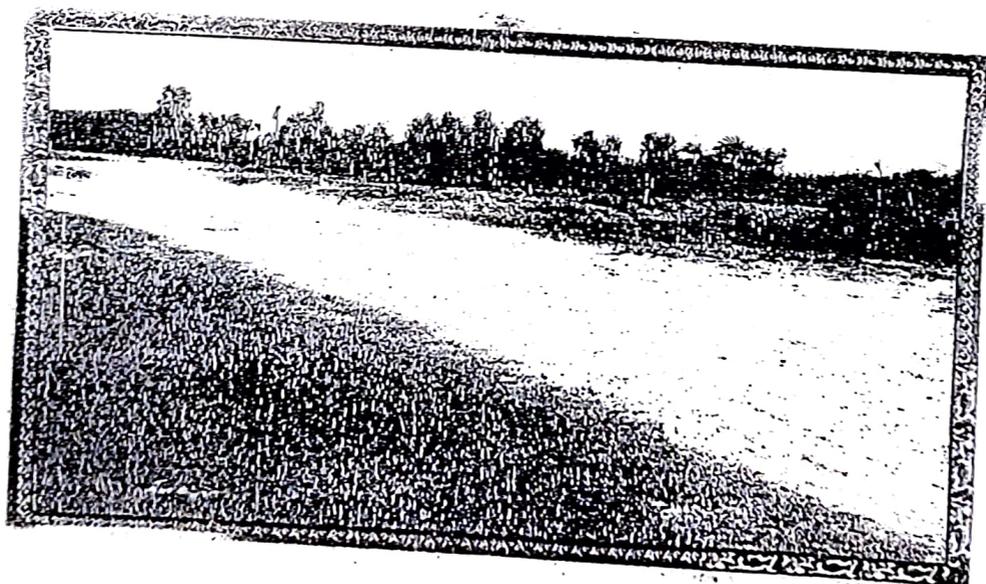
unquarried area

26

13

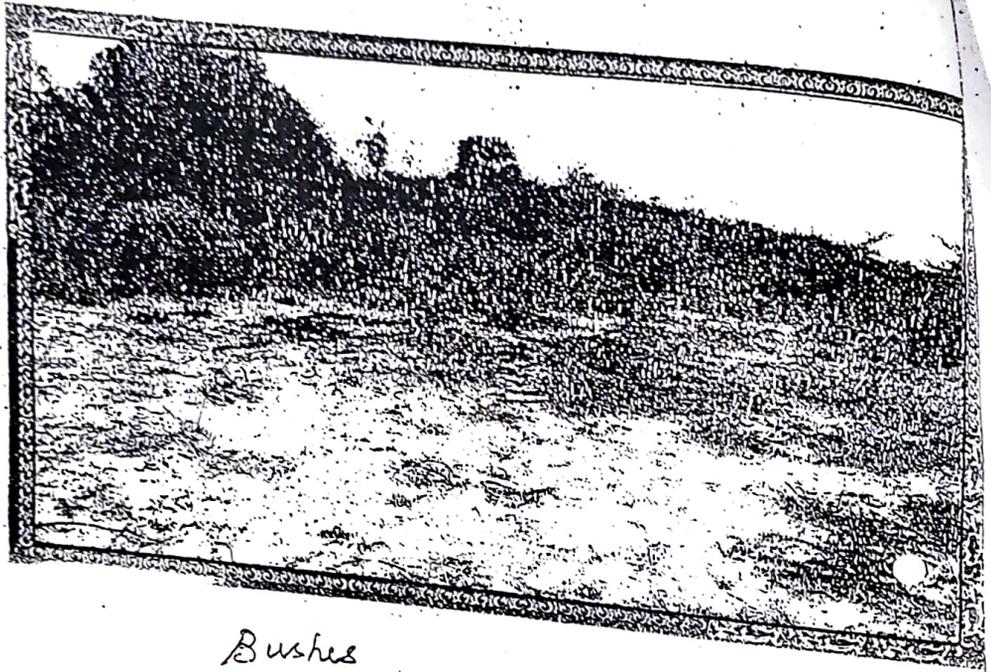


PWD stone mark

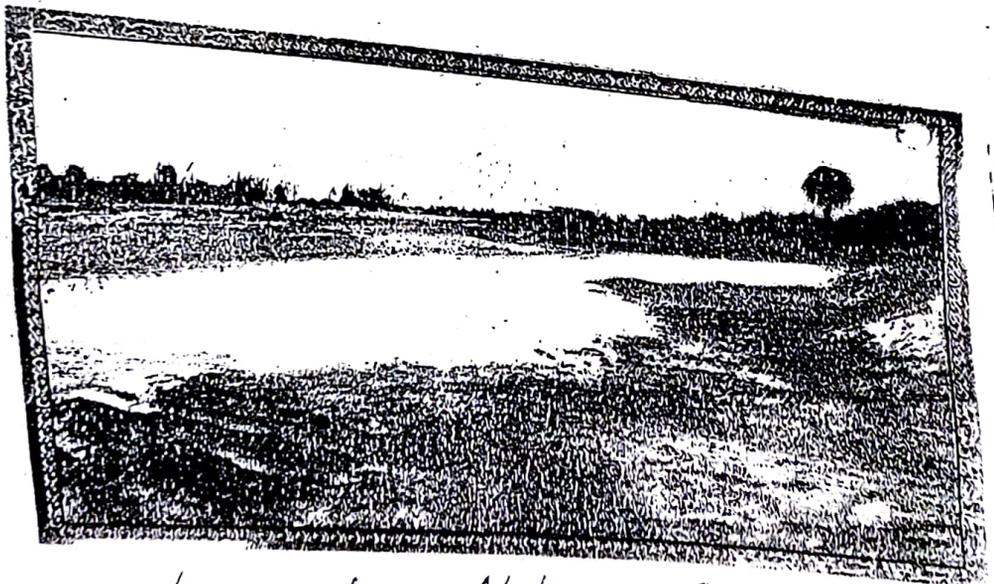


27

147



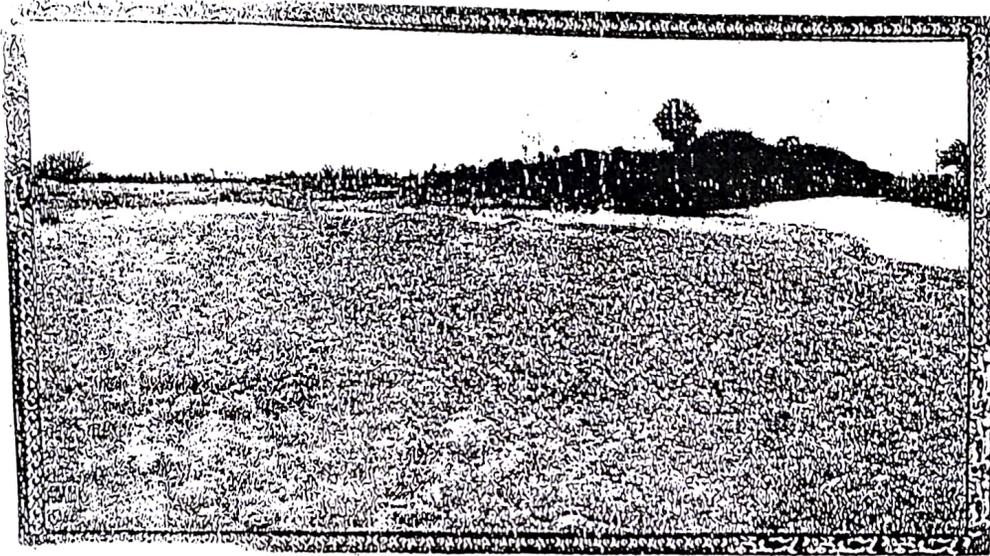
Bushes



plain where Maharaja Samudhram
and Agni occur meet.

15

28



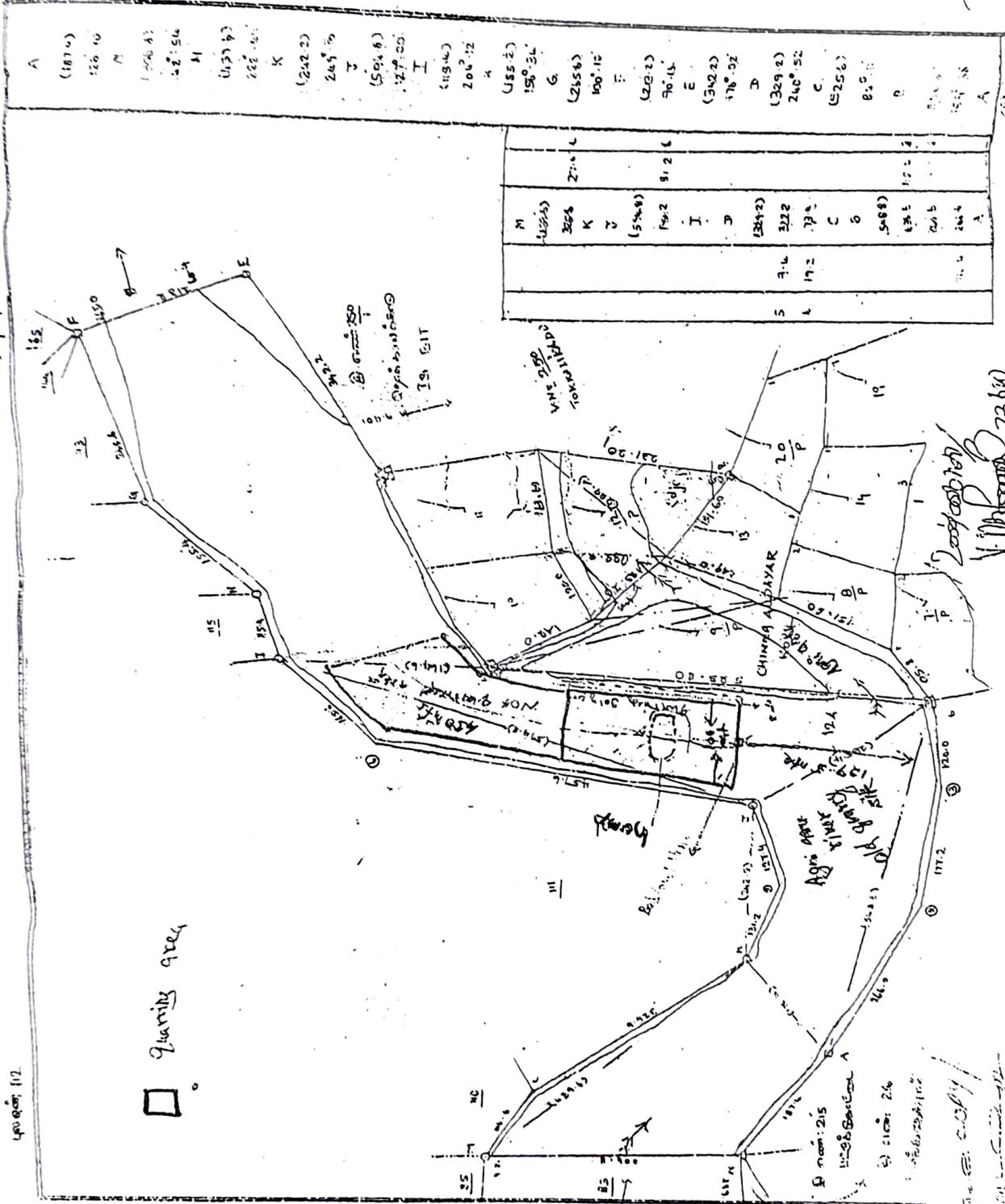
29

[Handwritten scribble]

பயிற்சி
பெரிய சாலைக்கு 37 ஏ.மீ. 83.5

பெரிய சாலைக்கு
37 ஏ.மீ. 83.5

Quarries area



M	1522.3	21.1	L
K	325.6	21.1	L
V	(574.6)	91.2	L
I	194.2	91.2	L
D	234.2	5	4-4
C	322	1	17.2
O	37.2		
S	548.8		
A	134.5		
A	100.5		
A	24.4		

செய்த நாள் 23.6.50
 வி. பி. ராமசாமி
 புது சிவா சிவசாமி
 145 புது சிவசாமி சாலை
 மதுரை, த.நா.

செய்த நாள் 18.6.50
 சி. பி. ராமசாமி

செய்த நாள் 13.6.50
 சி. பி. ராமசாமி

பெரிய சாலைக்கு
 37 ஏ.மீ. 83.5

அனுப்புதல்

N. கண்ணையா

கிராம நிர்வாக அலுவலர்,

சின்ன ஆவூட்டையார் கோவில்,

பட்டுக்கோட்டை வட்டம்,

தஞ்சாவூர் மாவட்டம்.

பெறுதல்

உயர்திரு. விசாரணை அதிகாரி அவர்கள்,

சென்னை உயர்நீதிமன்ற மதுரை கிளை,

மதுரை.

அய்யா,

பொருள் : 01.04.2012 அன்று கோர்ட் கமிஷன் புல எண் : 112 ல் நடைபெற்று வரும் அரசு மணல் குவாரி சம்பந்தமாக பார்வையிட்டு விசாரணை நடத்துவதை அறிந்து தாங்களுக்கு எழுந்துபூர்வமாக அளித்த வாக்குமூலம்.

புதுக்கோட்டை மாவட்டத்தில் உற்பத்தியாகி தஞ்சாவூர் மாவட்டம், பட்டுக்கோட்டை வட்டம், ராஜாமடம் கிராமத்தில் கடலில் கலக்கும் அக்னியாறு சின்ன ஆவூட்டையார் கோயில், மாளியக்காடு, தொக்காவிக்காடு கிராமங்களின் வழியாக செல்கிறது. எனது பொறுப்பு கிராமமான சின்ன ஆவூட்டையார்கோயில் கிராமத்தில் வடக்குப்பகுதியில் அக்னியாற்றின் ஒரு பிரிவும், தொக்காவிக்காடு கிராமத்தின் வழியாக அக்னியாற்றின் மற்றொரு பிரிவும் கடந்து செல்கிறது. இந்த இரு பிரிவுகளும் ஒரு கிலோ மீட்டர் தூரம் அளவிற்கு சென்று தொக்காவிக்காடு கிராம எல்லையில் இணைந்து பிறகு ராஜாமடம் வழியாக நான்கு கிலோமீட்டர் கடந்து சென்று கடலில் கலக்கிறது.

இதில் சின்ன ஆவூட்டையார் கிராமத்தில் ஊக்குப் பகுதி புல எண் : 9-5.38.0 ஹெர், புல எண் : 12- 3.40.5 ஹெர், புல எண் : 7- 1.86.00 ஹெர், புல எண் : 8 - 1.45.5 ஹெர், புல எண் : 20- 1.67.0 ஹெர் ஹெக்டேர்ஸ் அக்னியாறு என வகைப்பாடு செய்யப்பட்டுள்ளது. புல எண் 7 - 1.86.00 ஹெர், புல எண் : 8 - 1.45.5 ஹெர் வழியாக தற்சமயம் அக்னியாறு செல்கிறது. மேலும் பட்டா நிலத்தின் புல எண் : 13-ல் 1.07.5 ஹெர், புல எண் : 1.30.5 ஹெர் ஹெக்டேரும் இந்த அக்னியாறு பட்டா நிலத்தின் ஆறாக கடந்து செல்கிறது. புல எண் : 0.69.00 ஹெர், புல எண் : 14-ல் 0.72.5 ஹெர் ஏர்ஸ்: புஞ்சை தரிசு புறம்போக்கின் வழியாக அக்னியாறாக கடந்து சென்று தொக்காவிக்காடு அக்னியாறு பிரிவில் சேர்ந்து கொள்கிறது.

புல எண் : 9 - 5.38.0 ஹெர், புல எண் : 12-ல் 3.40.5 ஹெக்டேர் கிராம கணக்கில் அக்னியாறு என்று வகைப்பாடு செய்யப்பட்டுள்ளது. ஆனால் இந்த புல எண் பரப்பின் வழியாக அக்னியாறு செல்லவில்லை. புல எண் : 9. 12 பரப்புகளின் ஒருபகுதி அளவில் சுமார் நான்கு ஹெக்டேர் அளவுக்கு ஆக்கிரமிப்பு செய்து சவுக்கு, முந்திரி பயிரிடப்பட்டுள்ளது. ஆனால் இந்த சவுக்கு, முந்திரி செழிப்பில்லாதபடி குட்டை, குட்டையான நிலையில் உள்ளது. ஆகையால் இந்த கிடத்தில் தனியார் ஆக்கிரமித்துள்ள இந்த இடத்தில் கியற்கையான மணல்திட்ட ஏற்பட்டு மணல்குவாரி ஏற்படுத்தும் நிலையில் பரவலாக உள்ளது.

இதன் மூலம் அரசுக்கு வருவாய் ஏற்படும் நிலை உள்ளது. இந்த மாளியக்காடு மணல் குவாரி செயல்படுத்துவதன் மூலம் தொக்காவிக்காடு கிராமத்தில் முகராஜசமுத்திரம் காட்டாற்றில் உள்ள நீர்பாசன அணைக்கட்டிற்கு எவ்வித பாதிப்பும் இல்லை என்பதை இதன் மூலம் தெரிவித்துக்கொள்கிறேன். மேலும் மணல் திருட்டை நடுத்த அரசு வருவாய் ஏற்படுத்தலாம் எனவும் தெரிவித்துக் கொள்கிறேன்.


கிராம நிர்வாக அலுவலர்
சின்ன ஆவூட்டையார் கோவில்
பட்டுக்கோட்டை வட்டம்

அனுப்புதல்

முத்துக்கருப்பன்,
கிராம நிர்வாக அலுவலர்,
148, மசிழங்கோட்டை,
151, தொக்காலிக்காடு.

பெறுதல்

உயர்திரு. விசாரணை அதிகாரி அவர்கள்,
சென்னை உயர்நீதிமன்ற மதுரை கிளை,
மதுரை.

அய்யா.

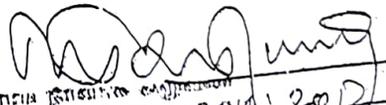
பொருள் : 01.04.2012 அன்று கோர்ட் கமிஷன் புல எண் : 112 ல் நடைபெற்று எடும் அரசு மணல் குவாரி சம்பந்தமாக பார்வையிட்டு விசாரணை நடத்துவதை அறிந்து தாங்களுக்கு எழுத்துபூர்வமாக அளித்த வாக்குமூலம்.

அக்னியாறானது மானியக்காடு கிராமம் புல எண் : 112 ல் மேற்கு கிழக்கு நோக்கி வந்து பின்னர் தென்வடல் திசையில் வளைந்து தொக்காலிக்காடு கிராமத்தில் புல எண் : 1-ல் மீண்டும் வடக்கு தென் திசையில் இராஜாமடம் கிராமம் வழியாக செல்கிறது. மகாராஜசமுத்திரம் ஆறு மானியக்காட்டில் வடக்கிலிருந்து தெற்கு நோக்கி வந்து தொக்காலிக்காடு புல எண் : 1 ல் அக்னியாற்றுடன் இணைகிறது. இந்த ஆற்றில் மானியக்காடு, தொக்காளிக்காடு எல்லையில் மானியக்காடு புல எண் : 185 மற்றும் தொக்காலிக்காடு புல எண் : 1 ல் தொக்காலிக்காடு அணைக்கட்டு உள்ளது. இவ்வணைக்கட்டிலிருந்து 1 கி.மீ. தூரம் கீழே மகாராஜ சமுத்திரம் ஆறு அக்னியாற்றில் கலக்கிறது.

தற்போது மானியக்காடு புல எண் : 112 ல் செயல்பட்டுவரும் அரசு மணல் குவாரியில் நீர்ப்போக்கில் எவ்வித மாற்றமும் ஏற்பட வாய்ப்பில்லை. தொக்காளிக்காடு புல எண் : 1 ல் நடுதிட்டுப் பகுதியில் மேற்குப் பகுதியில் கிழகண்டவர்கள் ஆக்கிரமணம் செய்துள்ளார்கள்.

ந.முத்துசாமிசவுக்கு 0.30.0 ஏர்ஸ்
பழநிகஞ்சு சவுக்கு 0.30.0 ஏர்ஸ்

மணல்திட்டை அகற்றுவதால் தொக்காளிக்காடு அணைக்கட்டிற்கு எவ்வித பாதிப்பும் ஏற்பட வாய்ப்பு இல்லை என்பதறிந்து தெரிவித்துக் கொள்ளிறேன்.


கிராம நிர்வாக அலுவலர்
க. ம. அலுவலர்
1202

32

19

அனுப்புதல்

P. விஸ்வலிங்கம்,
கிராம நிர்வாக அலுவலர்,
149, ஏரிப்புறக்கரை
பட்டுக்கோட்டை வட்டம்,
தஞ்சாவூர் மாவட்டம்.

பெறுதல்

உயர்திரு. விசாரணை அதிகாரி அவர்கள்,
சென்னை உயர்நீதிமன்ற மதுரை கிளை,
மதுரை.

அய்யா.

பொருள் : 01.04.2012 அன்று கோர்ட் கமிஷன் புல எண் : 112 ல் நடைபெற்று வரும்
அரசு மணல் குவாரி சம்பந்தமாக பார்வையிட்டு விசாரணை நடத்துவதை
அறிந்து தாங்களுக்கு எழுத்துபூர்வமாக அளித்த வாக்குமூலம்.

சேண்டாக்கோட்டை வருவாய் கிராமம் மாளியக்காடு ஊராட்சி புல எண் : 112, அக்கினி
ஆற்றில் ஒரு பகுதியில் மணல் குவாரி இயங்கி வருகிறது. இப்புல எண்ணில் நடுப்பகுதியில்
ஏற்பட்டுள்ள மணல் தீட்டு காரணமாக வெள்ளநீர் சீராக செல்லம்மாள் சின்ன ஆவூடையார் கோயில்
கிராமத்தின் வழியாக செல்கிறது. எனவே இம்மணல் தீட்டை அகற்றுவதால் வெள்ள நீர் உரிய
வழியாக சீராக செல்வதுடன் அரசுக்கும் வருவாய் ஏற்படும் இக்கிராமத்தின் எல்லையாகிய
மகாராஜசமுத்திரம் ஆறு புல எண் : 115 மற்றும் தொக்காலிக்காடு கிராமத்தில் அமைந்துள்ளது.
தற்போது மணல் குவாரி செயல்படும் இடத்திற்கும் அணைக்கட்டு அமைந்துள்ள இடத்திற்கு உள்ள
தூரம் 800 மீட்டர் ஆகும். புல எண் : 112 ன் வடகரையில் புல எண் : 113 மற்றும் 114, 115 பட்டா
நிலங்கள் உள்ளன. அணைக்கட்டின் இருபுறமும் வெள்ளக்கரைகள் அமைக்கப்பட்டுள்ளது. இரண்டு
ஆறுகளும் அணைக்கட்டின் தென்புறத்தில் 1 கி.மீ தள்ளியே தொக்காலிக்காடு கிராமத்தில்
இணைகிறது. எனவே பள்ளத்திலிருந்து மேட்டிற்கு நீர் சென்று அணைக்கட்டிற்கு பாதிப்பு உண்டாக
வாய்ப்பில்லை என்பதை தெரிவித்துக் கொள்கிறேன்.

P. M. Srinivasan
கிராம நிர்வாக அலுவலர்
129, சேண்டாக்கோட்டை
பட்டுக்கோட்டை வட்டம்

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2012

2012

THANJAVUR DISTRICT
IN THE HIGH COURT OF
JUDICATURE AT MADRAS
MADURAI BENCH

W.P.(MD) No.2884 of 2012

1/2

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REPORT FILED BY THE
ADVOCATE COMMISSIONER

M/s. V. MANIKANDAN
ADVOCATE COMMISSIONER

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IN THE HIGH COURT OF JUDICATURE AT MADRAS
MADURAI BENCH
(Special Original Jurisdiction)

W.P.(MD)No.2884 of 2012

P. Manivasagam,
S/o. Palayan,
President,
Thokkalikadu Panchayat,
Mahilankottai Post,
Athiramapattinam - 614 704

... Petitioner

-Vs-

1. State of Tamil Nadu represented by its
District Collector,
Thanjavur District,
Collectorate, Thanjavur
2. The Executive Engineer,
Water Bodies,
Public Works Department,
Pattukkottai
3. The Revenue Divisional Officer,
Pattukkottai

... Respondents

CLARIFICATION SUBMITTED BY THE ADVOCATE/COMMISSIONER

(1) Regarding the clarification sought for by the Petitioner in Page No.2, the last line does not convey and candid meaning. On the other hand, it leads to different conflicting conclusions. The same may be read as follows:-

... On the visit, the old quarry site in Survey No.112 on the Southern side, minimum of 50 ft to a maximum of 100 ft. and was quarried from the bank of the river. This quarry has been towards the Northern side. No bunds were available for the river branching from Agni Aru towards North. In this Northern side, 50 ft. to 100 ft. distance is available from the quarrying area.

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...2...

(2) In Page No.3, the middle portion may be read as follows:

... For words Additional 8 Meters used to make artificial road in order to transport sand through lorries.

For the above works, it is true that palm leaves are spread on the plain surface which remained un-quarried. This appeared to be as road for transporting sand by lorries. Further the hump is an unquarried portion and this hump is connected with the plain surface either on the West or on the East. This hump is uniform in surface with the Western side or with the Eastern side. The depth of the quarried area on the three sides of the hump is more than ^{2.5} 2 Meters. It is true that the hump or the strip is drawn roughly in the rough sketch and this is one of the humps. And this hump is connected with the Western side uniformly whereas the next hump is connected with the Eastern side uniformly. But in the sketch, this link is not specifically shown.

(3) Further it is true that when uneven humps of sand in the river when measured from the West to East 100 Meters, the height from the bed river measured 2.5 Meters may be read as follows:-

Even humps of sand may be read as humps of sand in the river when measured from West to East was 100 meters in length and the height from the bed level was 2.5 Meters and the quarrying below the bed level which had taken to a depth of $\frac{3}{4}$ Meters has to be taken into account totaling the depth as $2.5 + .75 = 3.25$ Meters. The bed level that is identified by the Officers ~~is not the bed level~~. In fact, the bed level could not be verified as the present bed level of Agni Aaru is already a quarried site where the depth is still down.

...3...

(4) The last line of Paragraph 6 in Page No.4 reads as follows:-

.... Further the Officials told that if the hump is not removed, there would not be free flow of water and the officials have to keep the bed river intact in order to consider the free flow of water... may be read as follows:-

.... the above portion in the last line of paragraph 6 is the version of the officials".

I have not concurred with the same in my report. I have simply mentioned what they have stated during my inspection. The very flow of water as is claimed by them could not be commented by me.

It is submitted that 127.5 Meters length from the Southern end of the quarrying site starts from the Northern bank of the Agni Aaru river.

Dated at Madurai on this 17th day of July 2012

Advocate Commissioner

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(37)

DISTRICT: THANJAVUR
IN THE HIGH COURT OF
JUDICATURE AT MADRAS
MADURAI BENCEH

W.P.(MD) No.2884 of 2012

CLARIFICATION SUBMITTED
BY THE
ADVOCATE/COMMISSIONER

Mr. V. MANIKANDAN

ADVOCATE COMMISSIONER

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முனைவர் ஓம்.மல்லேசப்பா, இ.வ.ப.,
உறுப்பினர் செயலர்

மாநில சுற்றுச்சூழல் தாக்க மதிப்பீட்டு
ஆணையம் - தமிழ் நாடு
3வது தளம், பனகல் மாளிகை,
எண் 1, ஜீனிஸ் ரோடு, சைதாப்பேட்டை
சென்னை 600015
தொலைபேசி: 044 - 24359973

ந.க.எண்/மா.ச.சூ.தா.ம.ஆ- த.நா/002396/2016 நாள்:25.01.2017

பெறுநர்

உயர்திரு.மாவட்ட ஆட்சித்தலைவர் அவர்கள்
மாவட்ட ஆட்சியர் அலுவலகம்
தஞ்சாவூர் மாவட்டம்

அய்யா,

பொருள்:மா.ச.சூ.தா.ம.ஆ-த.நா - தஞ்சாவூர் மாவட்டம், பட்டுக்கோட்டை
வட்டம், தொக்காலிக்காடு கிராமம், திரு.வடிவேலு அவர்களிடமிருந்து
பெறப்பட்ட புகார் மனு - தொடர்பாக
பார்வை: 1. திரு.வடிவேலு, தொக்காலிக்காடு கிராமம், அவர்களின் புகார் மனு
நாள்: 28.11.2016

தஞ்சாவூர் மாவட்டம், பட்டுக்கோட்டை வட்டம், தொக்காலிக்காடு கிராமம்,
திரு.வடிவேலு அவர்களிடமிருந்து தஞ்சாவூர் மாவட்டம், பட்டுக்கோட்டை வட்டம், சின்ன
ஆவுடையார் கோவில் கிராமம், அக்கினி ஆற்றில் மணல் குவாரி அமைப்பதற்கு ஆட்சேபித்து
புகார் மனு பெறப்பட்டுள்ளது.

இப்புகார் மனு குறித்து உரிய நடவடிக்கை எடுக்கும் பொருட்டு தங்கள்
அலுவலகத்திற்கு அனுப்பப்படுகிறது. இது தொடர்பாக எடுக்கப்படும் நடவடிக்கை குறித்து
மனுதாரருக்கும், இவ்வலுவலகத்திற்கும் தெரிவிக்கும்படி கேட்டுக்கொள்ளப்படுகிறது.

உறுப்பினர் செயலர்
மா.ச.சூ.தா.ம.ஆ - த.நா

இணைப்பு: மேற்கண்டவாறு

யு

நகல்: 1. திரு.வடிவேலு, தொக்காலிக்காடு கிராமம், பட்டுக்கோட்டை வட்டம், தஞ்சாவூர்
மாவட்டம் 614701

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திரு.அ.வ.வெங்கடாசலம், இ.வ.ப.,
உறுப்பினர் செயலர்

மாநில சுற்றுச்சூழல் தாக்க மதிப்பீட்டு
ஆணையம் - தமிழ் நாடு
3வது தளம், பனகல் மாளிகை
எண் 1, ஜீனிஸ் ரோடு, சைதாப்பேட்டை
சென்னை 600015
தொலைபேசி: 044 - 24359973

ந.க.எண்/மா.ச.சூ.தா.ம.ஆ- த.நா/006534/2018 நாள்:25.06.2018

பெறுநர்

உயர்திரு.மாவட்ட ஆட்சித்தலைவர் அவர்கள்
மாவட்ட ஆட்சியர் அலுவலகம்
தஞ்சாவூர் மாவட்டம்

அய்யா,

பொருள்:மா.ச.சூ.தா.ம.ஆ-த.நா - தஞ்சாவூர் மாவட்டம், பட்டுக்கோட்டை
வட்டம், சின்ன ஆவுடையார் கோவில் கிராமம், அக்கினி ஆற்றில்
மணல் குவாரி அமைப்பதற்கு ஆட்சேபித்து பெறப்பட்ட புகார் மனு -
தொடர்பாக

பார்வை: திரு.வடிவேலு, தொக்காலிக்காடு கிராமம், அவர்களின் புகார் மனு
நாள்:20.06.2018

பார்வையில் கண்டுள்ள புகார் மனு குறித்து உரிய நடவடிக்கை எடுக்கும் பொருட்டு
தங்கள் அலுவலகத்திற்கு அனுப்பப்படுகிறது. இது தொடர்பாக எடுக்கப்படும் நடவடிக்கை
குறித்து மனுதாரருக்கும், இவ்வலுவலகத்திற்கும் தெரிவிக்கும்படி கேட்டுக்கொள்ளப்படுகிறது.

உறுப்பினர் செயலருக்காக
மா.ச.சூ.தா.ம.ஆ - த.நா

இணைப்பு: மேற்கண்டவாறு

தகல். திரு.வடிவேலு, தொக்காலிக்காடு கிராமம், பட்டுக்கோட்டை வட்டம், தஞ்சாவூர்
மாவட்டம் 614701

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அனுப்புதல்

கிராமவாசிகள்,
மாளியக்காடு,
பட்டுக்கோட்டை வட்டம்,
தஞ்சாவூர், மாவட்டம்.

இடம்.. மாளியக்காடு

நாள்.. 03.01.2020

பெறுதல்

உயர்திரு. மாவட்ட ஆட்சித் தலைவர் அவர்கள்,
மாவட்ட ஆட்சியர் அலுவலகம்,
தஞ்சாவூர்.

பொருள்..

123-நீர். சேண்டாக்கோட்டை வருவாய் கிராமத்தைச் சேர்ந்த மாளியக்காடு கிராமத்தின், அக்கரைவயல் விவசாய பகுதி புல எண்.112 -ன் 26 ஹெக்டேர்ஸ் தவறான வருவாய் கிராம கணக்கு பதிவின் அடிப்படையில் நடைபெற்ற 2011-ஆம் ஆண்டு முதல் செயல்பட்ட தவறான குவாரி செயலாக்கத்தால் அக்னி ஆற்றின் உடைக்கப்பட்ட புல எண். 112-ல் மட்டும் வடக்கு கரையை உயர்த்தி பலப்படுத்தி கட்டவும், R.O.R. பதிவின்படி புல எண்.112-ன் 26 ஹெக்டேர்ஸ் அக்னி ஆற்றின் இயற்கையான நீர்போக்கு அல்லாத நிலத்தினை தொடர்ந்து வட்டம், கோட்டம், மற்றும் மாவட்டம் நிர்வாகத்தால் மறுக்கப்பட்டு வரும் உரிமை நிலத்தின் உரிமையை உரிமையாளர்களிடம் வழங்கிடவும், இதனை தொடர்ந்து புல எண். 112-ன் 26 ஹெக்டேர்ஸ் தனியார் உரிமை நிலத்தின் தவறான கிராம கணக்கின் பதிவின் அடிப்படையில் தற்சமயம் வரை தொடர்ந்து நடைபெறும் மணல் திருட்டை நிரந்தரமாக தடுப்பது தொடர்பாகவும் - மற்றும் அக்னி ஆற்றின் இயற்கையான நீர்போக்கில் மாற்றம் ஏற்படுத்தும் தவறான குவாரி செயலாக்கத்தின் தொடர்ச்சியாக நடைபெறும் மணல் திருட்டை நிரந்தரமாக தடுத்து அக்னி ஆற்றின் மழைக் கால வடிகால் வெள்ள நீர் அக்கரைவயல் விவசாய நிலங்களை எதிர்வரும் காலங்களில் மூழ்கடித்தும் மற்றும் மகாராஜசமுத்திரம் ஆற்றின் மேற்கு கரை பாசன அணைக்கட்டை வெள்ளத்தில் உடைத்து சேதப்படுத்துவதையும் தடுத்து பாதுகாப்பது - தொடர்பாக.

INDIA POST



INDIA POST

அய்யா,

1) 123-நீர். சேண்டாக்கோட்டை வருவாய் கிராமத்தைச் சேர்ந்த மாளியக்காடு கிராமத்தின் புல எண். 112-ல் 26 ஹெக்டேர்ஸ் விவசாய சாகுபடி நிலங்களில் எங்கள் கிராமத்தின் அசோக் (ஏ) அசோகன் மற்றும் அவரை சார்ந்த அவரது பல உறவினர்களின் பூர்வீக சட்ட உரிமை பட்டா நிலங்களாகும். அந்த நிலங்களில் மேற்கண்டவர்கள் தென்னை, சவுக்கு, பயறு வகைகள், R.S.பதி, பனை, நாவல் மரங்கள் போன்ற புஞ்சை பயிர்கள் சாகுபடி செய்யப்பட்டு வருகின்றது.

2) அசோக் (ஏ) அசோகன் மற்றும் அவர்கள் உறவு சார்பினர்களின் நிலங்கள் 1925-ம் ஆண்டு வரை அவர்கள் முன்னோர்களின் நெல் சாகுபடி நிலங்கள் ஆகும். மேற்கண்ட புல எண். 112-ல் 26 ஹெக்டேர்ஸ் விவசாய நிலங்கள். அக்கரைவயல் பாசன பெரிய ஏரியின் உபரி நீர் வெளியேற்ற ஆயக்கட்டின் கிழக்கு திசையிலும், அக்னி ஆற்றின் வடக்கு கரைக்கும் மகாராஜசமுத்திரம் ஆற்றின் பாசன அணைக்கட்டின் மேற்கு கரைக்கும் இடைப்பட்டு அமைந்துள்ளது. இந்நிலையில் 1925-ஆம் ஆண்டின் மிகை மழை வெள்ளத்தால் அக்கரைவயல் பெரிய ஏரியின் உபரி நீர் வெளியேற்றும் மற்றும் அக்னி ஆற்றின் வெள்ளத்தால் அக்னி ஆற்றின் அதன் இயற்கையான நீர்போக்கு மேற்கிலிருந்து, கிழக்கு நோக்கி வந்து பின்பு தென்புறமாக மகாராஜசமுத்திரம் ஆற்றில் சின்ன ஆவூடையார் கோவில் புல எண்கள். 9, 12 வழியாக தொக்காலிக்காடு புல எண். 1-ல் தற்போது உள்ளதுபோல் இணைய வேண்டியது. அக்னி ஆறு தன் போக்கை மாற்றி அக்னி ஆற்றின் வடக்கு கரை உடைக்கப்பட்டு அசோக் (ஏ) அசோகன் மற்றும் அவர்கள் சார்பில் முன்னோர்களின் பட்டா நிலங்களின்மீது பாய்ந்து அந்நிலங்களை மூழ்கடித்து மகாராஜசமுத்திரம் ஆற்றை மேற்கு திசையில் இணைந்த பின் அக்னி ஆறு அதன் இயற்கையான நீர் போக்கில் தற்போது வரை சென்று கொண்டிருக்கிறது. இந்த வெள்ளத்தால் அசோக் (ஏ) அசோகன் மற்றும் அவரது சார்பு உறவினர்களின் விவசாய நிலங்கள் மேடாக மாறியது. மேடான நிலங்களில் புஞ்சை பயிர்கள் பயிரிடப்பட்டு வருகின்றன. அக்னி ஆறு, மகாராஜசமுத்திரம் ஆற்றின் கரைகள் உயர்த்தி கட்டப்பட்டு பராமரிக்கப்பட்டு வந்தது. இத்தகைய வெள்ள பாதிப்புகள்

சேண்டாக்கோட்டை வருவாய் கிராம வருவாய் R.O.R. பதிவேட்டின் பக்கம் எண் 3-ன் பாகம் 15-ல் பதிவில் தனியார் நிலங்களின் 1925-ஆம் ஆண்டின் வெள்ள மூழ்கடிப்பு விவரிக்கப்பட்டு உள்ளது. மேலும் மகாராஜசமுத்திரம் ஆற்றின் மேற்கு கரையில் 1955-ஆம் ஆண்டில் பாசன அணைக்கட்டு நிறுவப்பட்டது.

3) இதனை தொடர்ந்து மேற்கண்ட தனியார் 26 ஹெக்டேர்ஸ் நிலங்கள் வருவாய் கணக்குளின் அக்னி ஆற்று புறம்போக்காக தவறாக வகை மாற்றம் செய்யப்பட்டது. தற்போதைய U.D.R. வரை வகை மாற்றமும் வரைபடமும் தொடர்கிறது.

4) மேற்கண்ட தனியார் பட்டா நிலங்களை தவறாக வகை மாற்றம் செய்ததின் அடிப்படையில் புல எண்.112-ன் மொத்த பரப்பு 37.83.5 ஹெக்டேர்ஸ் ஆக கணக்கிடப்பட்டது. இதனை தொடர்ந்து கடந்த 2011-ஆம் ஆண்டு மேற்கண்ட அக்னி ஆற்றின் வடக்கு கரையையும், அதனை சார்ந்த விவசாய நிலங்களும் மணல் குவாரி அமைக்க செய்த முன்னேற்பாடுகளின் பேரில் 26 ஹெக்டேர் புஞ்சை நிலங்களின் பயிர்களின் அ-பதிவேடு திருத்தம் அப்போது பணியில் இருந்த திரு. விஸ்வலிங்கம் கிராம நிர்வாக அலுவலரால் 14.19 பசலி முதல் அக்னி ஆற்று புறம்போக்கு என்றும், பயிர்கள், மரங்கள் ஏதும் இல்லை என்று தவறாக திருத்தம் செய்யப்பட்டு மணல் குவாரி முன்னேற்பாடுகள் நடைபெற்றது. இதனை எதிர்த்து பொது மக்கள் சார்பாக கடந்த 22.06.2011-ல் திரு.வெங்கடேஸ்வரன் கோரிக்கை மனு அளிக்கப்பட்டு, அதன் அடிப்படையில் சென்னை உயர்நீதிமன்றம் துரை கிளையில் பொது பணித் துறைக்கு வழிகாட்டுதல் வழக்கு எண். W.P.(MD) No.7084/2011, தீர்ப்பாணை நாள்.04.07.2011-ஆம் ஆண்டில் வழங்கப்பட்டது. பிறகு அந்த தீர்ப்பாணை மாவட்ட ஆட்சியர் குவாரி செயலாக்க விதிகளை முழுமையாக கடைபிடித்து அக்னி ஆற்றின் வடக்கு கரையோ அல்லது விவசாய நிலங்களையோ, ஆற்றின் நீர்ப்போக்கிலே மக்கள் பாதிக்கும் வகையில் இயற்கையான நீர் போக்கையே மாற்றம் செய்யக் கூடாது என்ற குவாரி செயலாக்க விதிமுறைகள் முழுமையாக கடைபிடித்து மனுதாரரின் கோரிக்கைகள் பரிசீலிக்கப்பட வேண்டும் என்ற வழிகாட்டுதல், மாவட்ட நிர்வாகமும், குவாரி செயலாக்க பொதுப் பணித் துறையும்

முற்றிலும் நிராகரித்து விட்டது. மேலும் அக்னி ஆற்றின் வடக்குகரையை உடைத்தும், சாகுபடி தென்னை மரங்களை பிடுங்கியும், 26 ஹெக்டேர்ஸ் மேடான விவசாய நிலங்களில் சுமார் 12 அடி ஆழம் வரையிலும் செய்து முறையற்ற புதிய ஆறு போன்ற குவாரியும் செயல்பட துவங்கியது.

5) இவ்வாறாக செயல்பட்டுவரும் தவறான குவாரி செயலாக்கத்தை தடுத்து நிறுத்தி அக்னி ஆற்றின் இயற்கையான நீர்போக்கை மாற்றம் செய்து அதன் விளைவாக விவசாய நிலங்கள் அழிக்கப்படுவதையும், அக்கரையை விவசாய நிலங்களில் வெள்ள அபாயம் ஏற்பட்டு அதன் தொடர்ச்சியாக மகாராஜசமுத்திரம் ஆற்றின் அணைக்கட்டின் மேற்கு கரையை நோக்கி புதிய ஆறு தோண்டப் படுவதாலும், மேலும் மேற்கண்ட 26 ஹெக்டேர்ஸ் நிலத்தில் மேற்கண்ட உரிமையாளர்களின் விவசாயம் அழிக்கப்படுவதாலும் உரிமை மறுக்கப்படுவதாலும் கிராம மக்களின் சார்பாக எங்கள் கிராமத்தைச் சேர்ந்த திரு.வெங்கடேஸ்வரன் அவர்கள் சென்னை உயர்நீதிமன்ற மதுரை கிளையில் 11.07.2011-ஆம் தேதி மாவட்ட ஆட்சியர் அவர்களுக்கு அனுப்பப்பட்ட பொது நல கோரிக்கை மனுவின் தொடர்பாக வழக்கு எண். W.P (MD) No.9308/2011, தீர்ப்பாணையின் நாள்.30.09.2011-ல் தவறான மணல் குவாரி செயலாக்கத்திற்கும், மனுதாரரின் உரிமைகள் தொடர்பான கோரிக்கைகளுக்கும் அப்பொழுது செயல்பாட்டில் இருந்துவரும் மாநில அளவிலான குவாரி செயலாக்க கண்காணிப்பு குழு தலைவரிடம் புகார் அளித்து, அவர் தலைமையில் குவாரி செயலாக்கத்தின் பரப்பை பார்வையிட்டு இடைக்கால தடை மற்றும் உரிமைக்கு தேவையான U.D.R. திருத்த உத்தரவு போன்ற ஆணைகளை பெற்றுக் கொள்ளுமாறும் தீர்ப்பாணையில் வழிகாட்டப்பட்டது.

6) அதனை தொடர்ந்து மனுதாரரால் தவறான குவாரி செயலாக்கத்தை கண்காணிப்பு குழு தலைவரிடம் புகார் மனு அளிக்கப்பட்டது. பின்னர் குவாரி செயலாக்க கண்காணிப்பு குழு தலைவரால், மேற்கண்ட தவறான குவாரி செயலாக்க பரப்பை நேரில் பார்வையிடாமலே குழு தலைவரால் குழு கலைக்கப்பட்டதாக அறிவிப்பு தெரிவிக்கப்பட்டது. இதனை தொடர்ந்து அக்னி ஆறு இரு பிரிவுகளாக மகாராஜசமுத்திரம் ஆற்றில் இணைகிறது என்றும் அதன் மற்றும் ஒரு தவறான

கிராம கணக்கு பதிவின் பிரிவில் புதிய குவாரி செயலாக்கம் மேற்கண்ட புல எண். 112-ன் 26 ஹெக்டேர்ஸ் விவசாய நிலத்தின் தொடரப்பட்டது. இதன் காரணமாக திரு. மணிவாசகம் அவர்கள் மாவட்ட ஆட்சியருக்கு அனுப்பப்பட்ட தவறான குவாரி செயலாக்கத்தை நிறுத்தவும், பொது மக்கள் சார்பாக கிராம நலன் கருதியும், மகாராஜசமுத்திரம் ஆற்றின் அணைக்கட்டின் வெள்ள பாதிப்பு குறித்தும், புல எண் 112-ன் பூர்வீக சாகுபடியாளர்களின் உரிமை குறித்தும் கோரிக்கை மனு அளிக்கப்பட்டு அதன் பேரில் சென்னை உயர்நீதிமன்ற மதுரை கிளையின் வழக்கு எண். W.P. (MD) No. 2884/2012-ல் தவறான குவாரி செயலாக்கத்தை தடுத்து நிறுத்த, உயர்நீதிமன்றம் அட்வகேட் கமிஷன் அமைத்து மேற்கண்ட குவாரி செயலாக்கத்தின் உண்மை நிலை அறியவும் வழக்கு தாக்கல் செய்யப்பட்டு அதன்பேரில் புல எண். 112-ன் மணல் குவாரி செயலாக்கம் பற்றி முழுமையான விவரங்களை உயர்நீதிமன்றத்தில் தாக்கல் செய்ய அட்வகேட் கமிஷன் அமைக்கப்பட்டு அந்த கமிஷன் கடந்த 28.03.2012-ல் புல எண். 112-ன் நான்கு எல்லைகளும் அறிந்தும், அதன் வடக்கு கரை உடைத்து அதன் தொடர்ச்சியாக மணல் குவாரி செயல்படுத்தப்படுகிறது என்றும், மணல் குவாரியால் ஒதுக்கப்பட்ட பயன்பாடு, மேல்புற மண் குவியலாக உள்ளது என்றும், அக்னி ஆற்றின் வடக்கு, தெற்கு இரு கரையிலும் விவசாயம் உள்ளது என்றும், அக்னி ஆறு இரு பிரிவாக பிரிந்து புல எண். 112-ன் வழியாக மகாராஜசமுத்திரம் ஆற்றின் பாசன அணைக்கட்டை நோக்கி சென்று இணையவில்லை என்றும், அக்னி ஆற்றில் இரு பிரிவுகள் இல்லையென்றும், குவாரி செயலாக்கப் வடக்கு கரையின் விவசாய நிலங்கள் அதன் நிலஉரிமையாளர்கள் அசோக் (ஏ) அசோகனும் அவரது உறவு உரிமை சார்பினர்களும் சாகுபடி செய்கின்ற புஞ்சை நிலங்கள் எனவும், புல எண். 112-ன் 26 ஹெக்டேர்ஸ் பரப்பில் சாகுபடி பயிர்கள் தென்னை, R.S. பதி, பனை, நாவல் மரங்கள் உள்ளது எனவும், அக்னி ஆறு மேற்கிலிருந்து கிழக்கு நோக்கி வந்து சென்று பின் தென்புறமாக திரும்பி சென்று சின்ன ஆவுடையார் கோவில் கிராம புல எண்கள். 9, 12 வழியாக கடந்து தொக்காலிக்காடு கிராம புல எண். 1-ல் மகாராஜசமுத்திரம் ஆற்றில் இணைகிறது எனவும், கிராம கணக்கின் தவறான வரைப்படத்தில் தற்போது உள்ளதுபோல் மகாராஜசமுத்திரம் ஆற்றின்

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மேற்கு கரை அணைக்கட்டை. நோக்கி அக்னி ஆற்றின் மற்றும் ஒரு பிரிவு செல்லவில்லை என்றும், அரசு அலுவலர்கள் அசோக் (எ) அசோகன் மற்றும் அவர் உரிமை சார்பு சாகுபடி உறவினர்களை மேற்கண்ட சாகுபடியில் இருந்து வெளியேற்ற வேண்டும் என்ற நில உரிமையாளர்களின் உரிமையை குவாரி செலயாக்கத்திற்கு தடையாக இருப்பதால் அவர்களை வெளியேற்ற வேண்டும் என்ற உரிமை பறிப்பு முயற்சியையும் பதிவு செய்தனர்.

7) சென்னை உயர்நீதிமன்ற (மதுரை கிளை) அட்வகேட் கமிஷனர் தனது அறிக்கையில் புல எண்.112 -ன் 26 ஹெக்டேர்ஸ் உரிமையாளர்கள் பயிர் சாகுபடி, அக்னி ஆற்றின் இயற்கையான நீர்போக்கு, குவாரி செயலாக்கத்தின் 12 அடி ஆழம், புல எண் எல்லைகள் போன்ற விரிவான அறிக்கையை உயர்நீதிமன்றத்தில் தாக்கல் செய்து, தவறான குவாரி செயலாக்கம் உண்மை என்றும் உயர்நீதிமன்றத்தில் சமர்ப்பித்தது. இதனை தொடர்ந்து பொதுப் பணித்துறையால் இனிமேல் குவாரி செயலாக்கம் புல எண்.112-ல் என்று சாகுபடி நிலத்தில் நடைபெறாது. மேலும் மாவட்ட நிர்வாகத்தின் அனுமதியை பொறுத்தது என்றும் தெரிவித்தது.

8) இதனை தொடர்ந்து அக்னி ஆற்றின் வடக்கு கரையை மேற்கண்ட நில உரிமையாளர்கள் ஓரளவு எடுத்துக்கட்டி, சீரமைத்து அக்னி ஆற்றின் வடிகால் நீர் அதன் இயற்கையான போக்கிலே செல்லும் வகையில் செப்பனிடப்பட்டு குவாரி செயலாக்க பள்ளப் பகுதியில் ஒரு போக நெல் சாகுபடியும், குவாரி செலயாக்கத்தின் எஞ்சிய பரப்பில் தென்னை, ஆர்.எஸ். பதி, உளுந்து, சவுக்கு, பனை, நாவல் மரங்கள் சாகுபடி செய்து பராமரித்து வருகின்றனர்.

9) இதனை தொடர்ந்து புல எண்.112-ன் 1925-ஆம் ஆண்டின் மிகை வெள்ள பாதிப்பால் எங்கள் ஊரின் அசோக் (எ) அசோகன் மற்றும் அவரது உறவுக்காரர்கள் அவர்களுக்கு உரிமை தொடர்பாக சேண்டாக்கோட்டை R.O.R. பதிவேட்டின் பதிவு பக்கம் எண். 3, பாகம் 15-ன்படியும், உயர்நீதிமன்ற தீர்ப்பாணைகளின்படியும், சென்னை நில அளவை மற்றும் நிலவரி திட்ட

இயக்குனர் அவர்களுக்கு அனுப்பப்பட்ட U.D.R. திருத்த கோரிக்கை மனு நாள். 25.07.2014 -ன்படி மனுதாரர்களின் கோரிக்கை மாவட்ட நிர்வாகத்தால் நடவடிக்கை மேற்கொள்ளப்பட்டு வகை மாற்றம் செய்து U.D.R. திருத்தம் செய்து பட்டா வழங்க நடவடிக்கைக்காக அனுப்பி வைக்கப்பட்டது. ந.க.எண். 2) 5770/2014, நாள். 06.08.2014.

10) மேற்கண்ட மனுவின் தொடர் உத்தரவுகளின்பேரில் பட்டுக்கோட்டை வருவாய் வட்டாட்சியர் (II) கடந்த 10.11.2014-ஆம் புல எண். 112-ன் 26 ஹெக்டேர்ஸ் நிலத்தின் தள ஆய்வு செய்தும், அளவீடு செய்தும், சாட்சிய வாக்குமூலம் மற்றும் மனுதாரர்களின் வாக்குமூலங்கள் பெற்றும் U.D.R. திருத்த வகை மாற்றத்திற்கு தேவையான பரிந்துரையை வழங்க அறிக்கையை சமர்ப்பித்தும் வகை மாற்ற பரிந்துரையை பட்டுக்கோட்டை வட்ட நிர்வாகம் மறுத்து வந்தது. இதனால் புல எண். 112-ன் 26 ஹெக்டேர்ஸ் உரிமையாளர்கள் திரு.அசோக் (எ) அசோகன் சென்னை உயர்நீதிமன்ற மதுரை கிளையில் உரிமையாளர்களின் சார்பாக 03.07.2015 அன்று அளித்த உரிமை மனுவின் தொடர்பாக வழக்கு எண். W.P. (MD) No./12433/2015, நாள். 21.07.2015-ல் வழிகாட்டுதல் தீர்ப்பாணை வழங்கப்பட்டது.

11) தீர்ப்பாணையில் பட்டுக்கோட்டை வட்டாட்சியர் மேற்கண்ட புல எண். 112-ன் உரிமையாளர்களின் உண்மை நிலையை கருத்தில் கொண்டு பட்டாவின் அவசியத்தை உணர்த்தியும், மேலும் நிலத்தினை விற்பனை செய்ய பட்டாவின் அவசியத்தையும், பட்டா வழங்குவதை மறுக்க வேறு காரணங்களை தேடி ஆராய்மலும் நில உரிமையாளர்களின் உரிமை ஆவணம் வழங்க தேவையான பரிந்துரை நடவடிக்கை மேற்கொள்ளுமாறு வட்ட நிர்வாகத்திற்கு வழிகாட்டப்பட்டது. இந்த தீர்ப்பாணை பேரில் மனுதாரர்களின் வாக்குமூலத்தை மட்டும் பெற்றுக் கொண்ட வட்ட நிர்வாகம், குவாரி செலாக்கத்தை தடை செய்த காரணம் மற்றும் மணல் திருட்டு தொடர்பாக புகார்கள் செய்தும், உயர்நீதிமன்றத்தில் வழக்கு தொடர்ந்ததாலும், புல எண். 112-ஐ தொடர்ந்து மேலும் அக்னி ஆற்றின் வடக்கு கரை பகுதியில் தொடர்ந்து குவாரிகள் செயல்படுத்துவதை சட்ட ரீதியாக புல எண். 112-ன் 26 ஹெக்டேர்ஸ் உரிமையாளர்கள் தடுத்ததால், ஆத்திரம் கொண்ட

வட்டம், கோட்டம் மற்றும் மாவட்ட நிர்வாகம் அவர்களின் உரிமை தொடர்பாக ஆவண பரிந்துரையை மறுத்தது. அதன் காரணமாக திருத்தம் செய்யப்பட்ட அ-பதிவேட்டினை காரணம் காட்டி அக்னிஆற்று புறம்போக்கு என்று வகை மாற்றம் உள்ள நிலங்கள் என்றும் 1419-ம் பசலி புல எண். 112 -ன் 26 ஹெக்டேர்ஸ் சாகுபடி பயிர்களை திருத்தம் செய்த பின் கிராம கணக்குகள் பதிவில் பயிர்கள் ஏதும் அ-பதிவேட்டில் பதிவு செய்யப்படவில்லை. எனவே நடப்பு பசலியை கணக்கில் கொண்டு, மேற்கண்ட பரப்பில் விவசாய பயிர்கள் ஏதும் இல்லை என்ற கிராம நிர்வாகத்தின் பொய்யான வாக்குமூலத்தை கவனத்தில் கொள்ளப்பட்டு உரிமையாளர்களின் நில உரிமை மறுக்கப்பட்டு வருகின்றது.

12) இதன் தொடர்பாக ந.க.எண். 14597//2015, நாள். 09.10.2015, பட்டுக்கோட்டை சார் ஆட்சியர் வகையில், மேலெழுத்தால் நில உரிமையாளர்கள் உரிமை நிராகரிக்கப்பட்டது. இதனை தொடர்ந்து ந.க.எண். 14596/2016, ஆ6. நாள். 09.10.2016 இதனை தொடர்ந்து உரிமையாளர்களின் சார்பில் அசோக் (6) அசோகன் மேல்முறையீட்டு மனு அளிக்கப்பட்டு, அதில் வட்டாட்சியர் நிராகரிப்பு ஆணை ரத்து செய்யப்பட்டு புல எண். 112-ன் 26 ஹெக்டேர்ஸ் உரிமையாளர்களின் உரிமை தொடர்பாக உயர்நீதிமன்ற தீர்ப்பாணைக்கு ஏற்றவாறு U.D.R..யை திருத்தம் செய்ய R.O.R. பதிவின் 1925-ஆம் ஆண்டின் தனியார் நிலைங்கள் வெள்ளத்தில் மூழ்கடிக்கப்பட்ட பக்கம் எண். 3, பாகம் 15-ன் அடிப்படையில் உயர்நீதிமன்றம் தீர்மானத்தின் அடிப்படையில் உரிய விரிவான அறிக்கை வழங்குமாறு கேட்கப்பட்டது.

13) ந.க.எண். 3777/2015, ஆ5. நாள். 21.05.2016 மேற்கண்ட பட்டுக்கோட்டை சார் ஆட்சியர் அவர்களின் விரிவான அறிக்கை கேட்டதன் பேரில் பட்டுக்கோட்டை வட்ட அரசு வழக்கறிஞரின் சட்டக் கருத்துரை கோரப்பட்டு, அதன் அடிப்படையில் மனுதாரர்களின் உரிமைக்கு சொந்தமான புல எண். 112-ல் 26 ஹெக்டேர்ஸ் மனுதாரர்களுக்கு பட்டா வழங்கலாம் என்று கருத்துரை பெறப்பட்டது. பட்டுக்கோட்டை வட்ட நிர்வாகத்தால் மண்டல வட்டாட்சியர் சட்டக் கருத்துரையின்- பேரில் மீண்டும் புல எண். 112-ன் 26 ஹெக்டேர்ஸ் விவசாய நிலத்தை மறு தள ஆய்வு (11) செய்து, நாள். 30.05.2019-ன்படி புறம்போக்கு நிலமாக தவறாக

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பதிவு செய்யப்பட்ட கிராமக் கணக்குகளின் அடிப்படையில் அதன் அடிப்படையில்
பட்டுக்கோட்டை வட்ட நிர்வாகத்தால் உரிமையாளர்களின் நில உரிமைக்கான
பரிந்துரை மீண்டும் தொடர்ந்து நிராகரிக்கப்பட்டுள்ளது. ந.க.எண். மூ.மு. எண்.
22033/16/ஆ6, நாள். 06.06.2019.

14) பட்டுக்கோட்டை வட்ட அரசு வழக்கறிஞரின் சட்ட கருத்தின்படி மனுதாரர்
களுக்கு பட்டா வழங்கலாம் என்ற சட்ட கருத்துரையின் ^{புல} புல எண். 112-ன் 26
ஹெக்டேர்ஸ் புஞ்சை நிலங்களின் உரிமையாளர்களுக்கு மறுக்கப்பட்டு
பரிந்துரையும் நிராகரிக்கப்பட்டது. இதனால் அக்னி ஆற்றின் வடக்குக் கரையின்
தனியார் விவசாய நிலங்கள் அக்னி ஆற்று புறம்போக்காக நடப்பு கணக்கில்
உள்ளதை காரணமாக கொண்டு சில சட்ட விரோத மணல் திருடர்களால் அத்துமீறி
மணலை நில சாகுபடியாளர்கள் இல்லாத நிலையில் திருடப்பட்டு வருகின்றது. மாட்டு
வண்டி, TATA ACE, மகேந்திரா, பொலிரோ, போன்ற வாகனங்களிலும் மணல்
திருடப்பட்டு விவசாய பயிர்களை அழித்தும் நடைபெற்று வருகின்றது. இவ்வாறான
திருட்டை தடுப்பு நடவடிக்கைக்காக கொடுக்கப்பட்ட கொடுத்து பல்வேறு
புகார்கள் மாவட்டம், கோட்டம், வட்ட வருவாய் நிர்வாகத்திற்கு அளித்தும் அதன்
நடவடிக்கைகளில் போதுமானதாக இல்லாத நிலையில் இன்றளவும் மணல் திருட்டு
நடைபெற்று வருகின்றது. இதன் அடிப்படையில் மணல் திருட்டு தொடர்பாக
தொக்காலிக்காட்டின் திரு. பாலசுப்பிரமணியன் என்பவரால் பொது நல வழக்கு
W.P. (MD) No.4984/2918/நாள். 30.11.2018 தொடரப்பட்டு தீர்ப்பாணை
வழங்கப்பட்டது. மேலும் தற்சமயம் வரை நடைபெறும் மணல் திருட்டு தொடர்பாக
சென்னை உயர்நீதிமன்ற மதுரை கிளையில் W.P. (MD) No.530/2019 வழக்கு
விசாரணையில் உள்ளது என்பது குறிப்பிடத்தக்கது.

15) பொதுப் பணித் துறையின்பேரில் 2011-ஆம் ஆண்டின் தவறான
குவாரி செயலாக்கத்தால் அக்னி ஆற்றின் பல எண்.112-ன் தொடர்ச்சியான
ஆற்றின் அதன் வடக்கு கரை சேதப்படுத்துப்பட்டு 12 அடி ஆழத்திற்கு மேல்
பள்ளம் தோண்டப்பட்டு சேதப்படுத்தப்பட்டது. அவ்வாறாக உடைக்கப்பட்டு,

ஆழப்படுத்தப்பட்ட கரையினால் அக்னி ஆற்றின் மழை, வெள்ள கால வடிகால் நீர் நேரிடையாக அக்கரை வயலின் தனியார் விவசாய நிலங்களில் புகுந்து பின்பு மகாராஜசமுத்திரம் ஆற்றின் மேற்கு கரையின் அணைக்கட்டை உடைக்கும் அபாயம் இன்றுவரை தொடர்ந்து வருகிறது. இதனை தடுத்தும் கிராம மக்கள் விவசாய நிலத்தையும், மகாராஜசமுத்திரம் ஆற்றின் மேற்கு கரையின் பாசன அணைக்கட்டையும் பாதுகாத்து உடன் உடைக்கப்பட்ட அக்னி ஆற்றின் வடக்கு கரையை அதன் தொடர்ச்சியாக பலப்படுத்தி உயர்த்தி கட்டவேண்டும் என்றும், ஊ

16) 1925-ஆம் ஆண்டின் மிகை வெள்ளத்தால் அக்னி ஆற்றின் வடக்கு கரை உடைந்து புல எண். 112-ன் 26 ஹெக்டேர்ஸ் புஞ்சை நிலங்கள் அக்னி ஆற்றின் வடக்கு கரைக்கும், மகாராஜசமுத்திரம் ஆற்றின் மேற்கு கரைக்கும் இடப்பட்ட இரு அக்னி ஆற்றின் இயற்கையான நீர்ப்போக்கு அல்லாத எங்கள் கிராமத்தின் அசோக் (ஏ) அசோகன் மற்றும் அவரது உறவினர்கள் மற்றும் சாகுபடி சார்பினர்கள் தனியார் நிலங்களை U.D.R. பதிவிட்டு அக்னி ஆற்று புறம்போக்கு என்ற தவறான கிராம கணக்கு பதிவை திருத்தம் செய்ய உரிமை தொடர்பாக W.P. (MD) No.12437/2015, நாள். 21.07.2017 தீர்ப்பாணையானது வழிகாட்டுதல் மறுத்தும் இதனை தொடர்ந்து புல எண். 112-ன் 26 ஹெக்டேர்ஸ் நிலப் பரப்பை வட்ட நிர்வாகம் தள ஆய்வு மற்றும் அளவீடு செய்து அறிக்கைகள் சமர்ப்பித்தும், பட்டுக்கோட்டை வட்ட அரசு வழக்கறிஞர் அவர்களின் நிலஉரிமை தொடர்பான U.D.R. -ஐ திருத்தம் செய்து பட்டா வழங்கலாம் என்ற சட்ட கருத்துரை வழங்கியும், தொடர்ந்து நில உரிமையில் மறுக்கப்பட்டு வரும் புல எண். 112-ன் 26 ஹெக்டேர்ஸ் பூர்வீக நில உரிமையை U.D.R. -ன் தவறான பதிவின் கிராம கணக்கை திருத்தம் செய்து உரிய உரிமையாளர்களுக்கு பட்டா வழங்கிட வேண்டும் என்றும், இதன் அடிப்படையில் எங்கள் கிராமத்தில் இன்றளவும் நடைபெறும் மணல் திருட்டு முழுமையாக தடுக்கப்பட்டுவிடும். இதனால் எங்கள் விவசாய பயிர்கள் பாதுகாக்கப்படும். மேலும் எங்கள் கிராம மக்கள் விவசாய நிலங்கள் மழை கால வெள்ளப் பாதிப்பின்றி தடுக்கப்படும். மகாராஜசமுத்திரம் ஆற்றின் பாசன அணைக்கட்டும் ^{மேலும் பாதிப்பானது} முன்புபோல் முழுமையாக பாதுகாக்கப்படும். மேற்கண்ட

காரணங்களின் அடிப்படையில் கிராம மக்களின் நல் வாழ்வாதாரம் பாதுகாக்கப்பட்டு விவசாயம் வளர்ச்சி அடையவும் என்ற மக்கள் நல நோக்கத்தின் பேரில் புல எண். 112-ன் 26 ஹெக்டேர்ஸ் நில உரிமையாளர்களும் கிராம பொது மக்களும் மேற்கண்ட கோரிக்கைகளுக்கு ஆணையிடுமாறு தாழ்மையுடன் கேட்டுக் கொள்கிறோம்.

G. Ravichandran
 V. பாலி)
 V. Ahij
 S.V. Ahil
 பிடுண்டி
 சி. சி. சி. சி.
 சி. சி. சி. சி.
 S. Veerayyan
 சி. சி. சி. சி.

கிராம பொது மக்கள்,
 சி. சி. சி. சி.
 சி. சி. சி. சி.
 2/4/2020

P. பாலயாராசு
 P. சி. சி. சி.
 P. சி. சி. சி.
 R. சி. சி. சி.
 R. சி. சி. சி.

B. சி. சி. சி.
 B. சி. சி. சி.
 R. சி. சி. சி.
 S. சி. சி. சி.
 R. சி. சி. சி.
 S. சி. சி. சி.

இணைப்புகள்- (நகல்கள்)

- 1) 123-நீர். சேண்டாக்கோட்டை வருவாய் கிராம மாளியக்காட்டின் R.O.R. நகல் மற்றும் தொக்காலிக்காடு கிராம புல எண். 1-ன், R.O.R. நகல்.
- 2) நில அளவை மற்றும் நிலவரி திட்ட இயக்குனர், சென்னை அவர்களுக்கு அனுப்பப்பட்ட பட்டா மனு நாள். 25.07.2014 மற்றும் இயக்குனர் ஆணை ந.க.எண். 205770/2014, நாள். 06.05.2014-ன் நகல்.
- 3) பட்டுக்கோட்டை வட்டாட்சியர் அவர்களுக்கு அனுப்பப்பட்ட U.D.R. திருத்த பட்டா மனு நாள். 06.03.2014 நகல்.

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- 4) பட்டுக்கோட்டை வட்ட மண்டல துணை வட்டாட்சியர் (II)-ன் புல எண்.112-ன் 26 ஹெக்டேர்ஸ் தள ஆய்வு அறிக்கை நாள். 10.11.2014-ன் நகல்.
 - 5) புல எண். 112-ன் 26 ஹெக்டேர்ஸ் சாகுபடி நிலத்தின் 1419 பசலிக்கு முன்னதான 10 ஆண்டுகள் வரையிலான அ-பதிவேட்டின் நகல்கள்.
 - 6) பட்டுக்கோட்டை வட்ட அரசு வழக்கறிஞரின் சட்ட கருத்துரை நகல்.
 - 7) பட்டுக்கோட்டை சார் ஆட்சியரிடம் கொடுக்கப்பட்ட மேல்முறையீட்டு மனு நாள். 02.06.2016 நகல் மற்றும் வட்டாட்சியர் அவர்களிடம் கொடுக்கப்பட்ட U.D.R. திருத்த உரிமையாளர்கள் மனு நாள். 13.01.2017 நகல்.
 - 8) அக்கரைவயல் கிராம புல எண். 112-ன் நில உரிமையாளர்களின் U.D.R.-ன் திருத்த சென்னை உயர்நீதிமன்ற மதுரை கிளை வழிக்காட்டுதல் தீர்ப்பாணை W.P. (MD) No.12433/2015, நாள். 21.07.2015.
 - 9) தீர்ப்பாணை வழிக்காட்டுதல் தொடர்பாக மனுதாரர் பட்டுக்கோட்டை வட்டாட்சியருக்கு அளித்த வாக்குமூல நகல்.
 - 10) பட்டுக்கோட்டை வட்டாட்சியர் அவர்களின் மேலெழுத்து மூ.மு. எண். 22033/16, ஆ6. (நகல்). மற்றும் பட்டுக்கோட்டை சார் ஆட்சியர் மேலெழுத்து ந.க.எண். 3177/2015/ஆ5, நாள். 21.05.2016 நகல். வட்டாட்சியர் உத்தரவு ந.க.எண். 14597/2015.ஆ6, நாள். 09.10.2015 நகல்.
 - 11) சென்னை உயர்நீதிமன்ற (மதுரை கிளை) அட்வகேட் கமிஷனர் அவர்களின் தல ஆய்வு அறிக்கை நகல்.
 - 12) பொதுப் பணித்துறை குவாரி செயலாக்க நிறுத்தக் கடிதம் நகல்.
 - 13) சென்னை உயர்நீதிமன்ற தீர்ப்பாணை நகல்கள் W.P.(MD) No.9808/2011, நாள். 30.08.2011 நகல். மற்றும் W.P.(MD) No.7084/2011, நாள். 04.07.2011 நகல்.
 - 14) மாநில அளவிலான குவாரி செயலாக்க கண்காணிப்பு குழு தலைவரால் தெரிவிக்கப்பட்ட குழு கலைப்பு தகவல் நகல்.
 - 15) குவாரி செயலாக்க ஆணை ந.க.623/2010 (கனிமம்), நாள்.19.5.2010 நகல்.
 - 16) மணல் திருட்டு தொடர்பாக வழங்கப்பட்ட தீர்ப்பாணை W.P. (MD) No.4984/2018, நாள். 30.10.2018 நகல்.

PROCEEDINGS OF THE DISTRICT COLLECTOR, THANJAVUR
PRESENT: THIRU.M.GOVINDA RAO, I.A.S.,

Dated:10.02.2020

R.c.No.280/Mines/2018

Sub: Mines and Quarries - Minor Minerals - Sand quarries -
Thanjavur District - Pattukottai Taluk -
Chinaavudaiyar Kovil Village - S.F.Nos. 8 & 9 - over an
extent of 3.00.0 hect - Proposal for commencing new
Bullock Cart Sand quarry by Public Works Department
in Agniyar river bed - precise area communicated -
Draft mining plan approved - Clearance obtained from
DEIAA -EC for 3 years - Total quantity of 54000 M³ -
Consent given by TNPCB - Grant of lease for Three
years - Orders Issued.

- Ref:
1. G.O.Ms.No.110/Public Works (I,Spl.2) Dept.,
Dated: 06.07.2006.
 2. G.O.Ms.No.135, Industries (MMA1) Dept.,
Dated:13.11.2009.
 3. Hon'ble Supreme Court of India in I.A.Nos 12-
13/2011 in SLP No.19628-19629 / 2009 etc.,
dated.27.02.2012.
 4. Government of India, Ministry of Environment and
Forest O.M.dt.18.05.2012.
 5. The Chairman, Sate Level Environment Impact
Assessment Authority, Tamilnadu
D.O.Lr.No.SEIAA-TN/Minor Minerals/2012
dt.17.09.2012.
 6. The Commissioner of Geology and Mining, Chennai
letter Rc.No.3868/LC/2012 dt.19.11.2012.
 7. G.O.(MS) No.79 Industries (MMC.1) Department
dt.06.04.2015.
 8. G.O(D) No.110 Industries (MMC.2) Department
dt.17.06.2015.
 9. Letter No.F1/Do/Estimate/dated.14.06.2018 from
the Executive Engineer, PWD, WRD, Mining and
Monitoring Division, Thanjavur.
 10. Joint Inspection Report dated.23.06.2018.
 11. Precise area communication letter in
Rc.No.280/Mines/2018, dated.29.06.2018.

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12. Mining plan submitted by the Executive Engineer, FWD, WRD, Mining and Monitoring Division, Thanjavur. dt.10.07.2018.
13. Approval of Mining plan by Assistant Director, Geology and Mining, Thanjavur, Lr.No.280/Mines/2018(G&M). dt.12.07.2018.
14. The Member Secretary, District level Environment Impact Assessment Authority, Thanjavur Lr.No.DEIAA-Tnj-1 F.No.75/1(a) EC.No.7/2017 dated 06.08.2018.
15. Tamil Nadu Pollution Control Board, Thanjavur Proceedings Nos. F.0561TNJ/OS / DEE/TNPCB/TNJ/A/2018 Dt: 15.11.2018 & F.0561TNJ/OS/DEE/TNPCB/TNJ/W/2018 Dt: 15.11.2018

Order:

The Executive Engineer, Water Resources Department (Public Works Department), Mining and Monitoring Division, Thanjavur vide reference 9th cited has sent a proposal for opening a new bullock cart sand quarry, over an extent of 3.00.0 hec. in S.F.Nos.8 & 9 classified as Government poramboke (Agniyar river) of Chinna Avudaiyar Kovil Village, Pattukkottai Taluk, Thanjavur District.

2) The subject area has been jointly inspected on 23.06.2018 by the Revenue Divisional Officer, Pattukkottai, Assistant Executive Engineer, TWAD Board, Thanjavur, the Assistant Executive Engineer, PWD., WRD., Mining & Monitoring Division, Thanjavur and the Assistant Director (i/c) Mines, Thanjavur and Village Administrative Officer Chinaavudaiyar Kovil Village, Pattukkottai Taluk and they have recommended the proposal received from the Executive Engineer, PWD., WRD., Mining & Monitoring Division, Thanjavur has forwarded the proposal for opening a bullock cart of sand quarry, in above said location as demarcated by the Public Works Department with certain conditions in vide reference 10th cited.

3) Based on the recommendations of the above officials the proposal was examined and considered for the grant of quarry lease for quarring sand for a period of Three years and accordingly precise area has been communicated vide in the reference 11th cited with a direction to furnish the approved Mining plan and to obtain Environmental Clearance from the District Level Environment Impact Assessment Authority, Thanjavur.

4) As directed, the Executive Engineer, PWD, Water Resources Department, Mining and Monitoring Division, Thanjavur had submitted the approved Mining Plan and Environment Clearance issued by the District Level Environment Impact Assessment Authority, Thanjavur vide letter No.DEIAA-Tnj-I/F.No.75/1(a)EC.No:7/2017 dated:06.08.2018, for quarrying of 54000 M³ of Sand in above said location.

DLEIAA

5) The applicant has also obtained and produced Consent order Nos.1805217286272 and 1805117286272 dated:15.11.2018 from Tamilnadu Pollution Control Board, Thanjavur vide reference 15th cited as conditioned in the Environmental clearance.

PCB

In view of the above, permission to commence a new Bullock Card sand quarry is here by granted to the Executive Engineer, PWD, Water Resources Department, Mining and Monitoring Division, Thanjavur for removal and transportation of sand of 54,000 Cbm (L 300m X W100m X D1.80m) over an extent of 3.00.0 Hects in S.F.Nos.8 & 9, classified as Government poramboke (Agniyar River) of Chinna Avudaiyar kovil Village, Pattukottai Taluk, Thanjavur Distirct.

The life period of sand quarry is either three years or till exhaust the quantity of 54000 Cbm of sand.

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Special conditions.

- i. A safety distance of 50 m. has to be left and maintained to the river bank of either side.
- ii. Depth of quarrying shall not exceed 1 m from the sill level.
- iii. Formation of temporary approach to the quarry site shall be done by using Biodegradable materials only.
- iv. The Executive Engineer, Public Works Department/ WRO / Mining and Monitoring Division Thanjavur shall strictly adhere the guidelines and instructions given by the Government / DEIAA, Thanjavur for quarrying of sand.
- v. Quarrying shall be under the direct control and supervision of PWD official appointed by the Executive Engineer, Water Resources Department, Mining and Monitoring Division, Thanjavur.
- vi. Quarrying shall be done without causing any hindrance to the local public and nearby Agricultural lands.
- vii. The proposed site is to be demarcated with pucca pillar stones and benchmark level has to be fixed by the Executive Engineer, PWD, Water Resources Department, Mining and Monitoring Division, Thanjavur, before commencement of quarrying operations.
- viii. No criss cross road is permissible in the proposed quarry site which may cause obstruction to the flow of water.
- ix. If any of the above condition is found to be violated this quarrying permission is deemed to be cancelled automatically without any notice.
- x. The quarrying operations shall be restricted from 6.00 A.M. to 7.00 P.M.
- xi. The Tahsildar, pattukottai is directed that the mining activity and the compliance of all the above conditions shall be monitored by the Taluk level Task Force once in a month by physical inspections and the status of compliance should be recorded by the committee in the Register maintained at the site.

The Executive Engineer, Public Works Department, Water Resources Department, Mining and Monitoring Division, Thanjavur should file a report before the District Collector, Thanjavur showing the quantity of sand lifted as against the permitted quantity allowed to be lifted once in two weeks.

- xiii. No Transport permit shall be issued for the sale of sand to other States as per Rule 38-B of the Tamil Nadu Minor Mineral Concession Rules, 1959.
- xiv. The transport permit for the transportation of sand from the sand quarry site should be issued by the Public Works Department in the form prescribed in Appendix - XVII in Rule 38-C (2) (a) of the Tamil Nadu Minor Mineral Concession Rules, 1959.
- xv. The quarrying of sand shall be eco friendly and confined to the areas demarcated in the FMB sketch as produced by the Executive Engineer, Public Works Department, Water Resources Department, Mining and Monitoring Division, Thanjavur.
- xvi. Quarrying of sand shall be confined to the area for which permission is granted.
- xvii. The Public Works Department shall carryout quarrying operations in a skilful, scientific and systematic manner keeping in view proper safety of the labourers, structures and the public and public works located in that vicinity of the quarrying area and in a manner to preserve that environment and ecology of the area.
- xviii. Quarrying shall be restricted to the permitted optimum depth of not more than one meter with special care to preserve the river bed strata.
- xix. At any cost natural water course of the river and the gradient towards downstream should be maintained for free flow of water.
- xx. Quarrying in river bed should not be done during rain and flood. The total quantity of sand permitted in the Environmental Clearance should not be exceeded in any case within the overall permitted period.
- xxi. Quarrying below the water table should be avoided as a safe guard against Environmental Contamination and over exploitation of resources.

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- xxii. The mined out pits should be backfilled where warranted and area should be suitably landscaped to prevent environmental degradation.
- xxiii. 500 m safety distance should be left out for the bridge, water supply system, infiltration well or pumping installation of any of the local bodies or Central or State Government Department or the Tamil Nadu Water Supply and Drainage Board head works.
- xxiv. All the conditions stipulated in the Environment Clearance granted in DEIAA-TNJ-1 F.No75/1(a) EC.No:7/2017 dated: 06.08.2018 by the District Level Environment Impact Assessment Authority, Thanjavur should be scrupulously followed.

(sd/-10.02.2020)
District Collector,
Thanjavur.

//Forwarded By Order//

11/02/2020
For Collector,
Thanjavur

TO:
The Executive Engineer,
Water Resources Department
Public Works Department,
Mining and Monitoring Division,
Thanjavur.

Copy to

1. The project Director, Sand quarry operations, Public Works Department WRO, PWD Office Campus, Kalasara mahal Chepauk, Chennai-5
2. The Sub-Collector, Pattukottai.
3. The Thashildar, Pattukottai.
4. The Village Administrative officer, Chinna Avudaiyar kovil.

011 1800 266 8868

45

भारतीय डाक



INDIA POST

RT950905352IN INR:8284950905352
 PL PATTUKOTTAI H.O 614601
 Counter No:4,09/03/2020,15:55
 To:CHIEF SECRETARY,CHENNAI
 PIN:600002, Madhavanasar S.O
 From:VENKATESWARAN,PTK
 Wt:40gms
 Amt:27.00(Cash)
 Track on www.indiapost.gov.in
 Dial 1800 266 8868

भारतीय डाक



INDIA POST

RT950905370IN INR:8284950905370
 PL PATTUKOTTAI H.O 614601
 Counter No:4,09/03/2020,15:55
 To:CHIEF SECRETARY,CHENNAI
 PIN:600002, Fort St George S.O
 From:VENKATESWARAN,PTK
 Wt:40gms
 Amt:27.00(Cash)
 Track on www.indiapost.gov.in
 Dial 1800 266 8868

भारतीय डाक



INDIA POST

RT950905278IN INR:8284950905278
 PL PATTUKOTTAI H.O 614601
 Counter No:4,09/03/2020,15:55
 To:DIST COLLECTOR, COLLECTORATE
 PIN:613010, Tamil University S.O
 From:VENKATESWARAN,PTK
 Wt:40gms
 Amt:27.00(Cash)
 Track on www.indiapost.gov.in
 Dial 1800 266 8868

भारतीय डाक



INDIA POST

RT950905264IN INR:8284950905264
 PL PATTUKOTTAI H.O 614601
 Counter No:3,09/03/2020,15:55
 To:PRESIDENT, ENVIRONMENTAL
 PIN:600015, Saidapet S.O (Chennai)
 From:VENKATESWARAN,PTK
 Wt:40gms
 Amt:27.00(Cash)
 Track on www.indiapost.gov.in
 Dial 1800 266 8868

भारतीय डाक



INDIA POST

RT950905370IN INR:8284950905370
 PL PATTUKOTTAI H.O 614601
 Counter No:4,09/03/2020,15:55
 To:WOMBLE DM,CM CELL
 PIN:600021, Washersanpet S.O
 From:VENKATESWARAN,PTK
 Wt:40gms
 Amt:27.00(Cash)

58

அனுப்புதல்:

சிவ. வெங்கடேஸ்வரன்,
 மாளியக்காடு & அஞ்சல்,
 நாடிமுத்துநகர் வழி,
 பட்டுக்கோட்டை வட்டம்,
 தஞ்சாவூர் மாவட்டம் - 614 602,
 செல்: 7373992421.

பெறுதல்:

1. மாண்புமிகு தமிழக முதல்வர் சி
 தனிப்பிரிவு,
 நெ.134, ஜி.ஏ. சாலை,
 பழைய வண்ணாரப்பேட்டை,
 சென்னை - 21
2. திரு. தலைமைச் செயலர் அவர்
 சென்னை - 9.
 தமிழ்நாடு.
3. திரு. தலைவர் அவர்கள்.
 சுற்றுச்சூழல் பாதுகாப்பு குழு,
 3 வது தளம், பனகல் மாளிகை,
 நெ. 1, ஜென்னிஸ் ரோடு,
 சைதாப்பேட்டை, சென்னை -15.
4. மாவட்ட ஆட்சித்தலைவர் அவர்கள்,
 மாவட்ட ஆட்சித்தலைவர் அலுவலகம்,
 தஞ்சாவூர்.

RT950905278
 Counter
 Amt:27.00
 From:VENKATESWARAN,PTK
 Amt:27.00(Cash)
 To:4
 Del: 02/03/2020
 RT950905370
 Counter
 Amt:27.00
 From:VENKATESWARAN,PTK
 Amt:27.00(Cash)
 To:4
 Del: 02/03/2020
 RT950905278
 Counter
 Amt:27.00
 From:VENKATESWARAN,PTK
 Amt:27.00(Cash)
 To:4
 Del: 02/03/2020
 RT950905264
 Counter
 Amt:27.00
 From:VENKATESWARAN,PTK
 Amt:27.00(Cash)
 To:4
 Del: 02/03/2020
 RT950905370
 Counter
 Amt:27.00
 From:VENKATESWARAN,PTK
 Amt:27.00(Cash)
 To:4
 Del: 02/03/2020

59

2

பொருள்: தஞ்சாவூர் மாவட்டம், பட்டுக்கோட்டை வட்டம், சின்ன ஆவுடையார்கோவில் கிராமம் கடற்கரை பகுதியை ஒட்டி அமைந்த அக்கினியாற்று புல எண்கள் 8 மற்றும் 9 ல் 3 ஹெக்டேர்ஸ் அளவில் வழங்கப்பட்ட தவறான மாவட்ட சுற்றுச்சூழல் அனுமதி Lr No. DEIAA - TAJ - 1 F.No 75/1(a) EC No . 7/2017 dt 06-08-2018, மற்றும் தவறான மாவட்ட ஆட்சியரின் மாட்டு வண்டி மணல்குவாரி அனுமதி RC No 280/Mines/2018 dt 10-02-2020 உடன் ரத்து செய்தும் அதன் தொடர்பான ந.க.எண் 280/2018 நாள் 10-02-2020 ரத்து செய்வது தொடர்பாக:-

அய்யா,

மேற்கண்ட மாவட்ட, வட்ட கிராமங்கள் மாளியக்காடு, சின்ன ஆவுடையார்கோவில், தொக்காளிக்காடு, மகிழங்கோட்டை மற்றும் இராஜாமடம் போன்ற கிராமங்கள் வங்காளவிரிகுடா கடற்கரையின் வடக்கு திசையில் சுமார் 3 கிலோமீட்டர் அளவில் நன்னீர் ஏரிகள் மற்றும் குட்டைகள் மூலம் விவசாயம் செய்யும் பாசன கடைமடைகளைக் கடலின் முகத்துவார பகுதி கிராமங்களும் ஆகும்.

மேற்கண்ட கிராமங்களில் மகாராஜசமுத்திரம் மற்றும் அக்கினி ஆறு மழைக்கால வெள்ள வடிகால் ஆறுகளாகும். இந்த ஆறுகள் எங்கள் கிராமங்களை கடந்து செல்லும் நிலையில் மகாராஜசமுத்திரம் ஆறு வடக்கில் இருந்து தெற்கு நோக்கி சென்று கடலில் இராஜாமடம் கிராமத்தில் கலக்கிறது. இந்த மகாராஜசமுத்திரம் ஆற்றில் அக்கினி ஆறு மேற்கில் இருந்து மாளியக்காடு மற்றும் சின்ன ஆவுடையார்கோவில் புல எண்கள் வழியாக தொக்காளிக்காடு கிராமத்தில் மகாராஜசமுத்திரம் ஆற்றோடு இணைகிறது.

இவ்வாறாக அக்கினி ஆறு மகாராஜசமுத்திரம் ஆற்றில் இணைவதற்கு சுமார் 300 மீட்டர் வடக்கு திசையில் மகாராஜசமுத்திரம் ஆற்றில் கடந்த 1953 ம் ஆண்டு நன்னீர் பாசன அணைக்கட்டு நிறுவி மழைக்கால வெள்ள வடிகால் நன்னீர் தடுக்கப்பட்டு பாசன அணைக்கட்டின் வாய்கால் மூலம் மகிழங்கோட்டை ராஜாமடம் போன்ற கிராமங்களுக்கு கிடைக்கப்பெற்று விவசாயம் செய்யப்பட்டு வருகிறது.

மேலும் கடற்கரையை சார்ந்து அமைந்த கிராமங்களாகிய தொக்காளிக்காடு சின்ன ஆவுடையார்கோவில், மாளியக்காடு போன்ற கிராமங்கள் பெரிய ஏரிகள் மற்றும் பாசன குட்டைகள் மூலம் ஒருபோக நெல் சாகுபடி செய்யப்பட்டு விவசாயம் நடைபெற்று வருகிறது. இதுபோன்ற பாசன விவரங்கள் வருவாய் ஆவணங்கள் மூலம் வட்ட, கோட்ட, மாவட்ட நிர்வாகங்கள் நன்கு அறிந்த நிலை என்பதும் குறிப்பிடத்தக்கது.

மேலும் மேற்கண்ட கிராம மக்களின் கிராமத்தின் சாகுபடி நிலங்கள் மகாராஜசமுத்திரம் ஆற்றின் முழுமையாக அதன் மேற்கு கரைக்கு அப்பாற்பட்ட பகுதிகளையும் அக்கினி ஆற்றின் தெற்கு வடக்கு திசைகளில் கரைகளுக்கு அப்பாற்பட்டு சுமார் ஆயிரத்திற்கும் மேற்பட்ட ஹெக்டேர்ஸ் பரப்பு கொண்ட சாகுபடி நிலங்கள் ஆகும்.

இந்த புஞ்சை நிலங்களில் ஆழ்குழாய் கிணறுகள் 2014 ம் ஆண்டிற்கு முன்னதாக மகாராஜசமுத்திரம் ஆற்றில் கடற்கரையை ஒட்டி அமைந்த இராஜாமடம் கிராமத்தில் மணல்குவாரி அமைத்திட சுற்றுச்சூழல் அனுமதி தேவையற்ற காலத்தில் நடைப்பெற்ற மணல்குவாரிகளாலும், அதனை தொடர்ந்து மகிழங்கோட்டை, இராஜமடம் மற்றும் தொக்காலிக்காடு தொடர்ந்து இன்றளவும் தொடர்ந்து நடைப்பெறும் மணல் திருட்டுகளால் அதன் இயற்கையான மணல் படிமம் ஆழப்படுத்தப்பட்டு கடல் நீர் மகாராஜசமுத்திரம் அணைக்கட்டின் கீழ்ப்பகுதியான தொக்காலிக்காடு கிராம புல எண் 1 ல் முழுமையாக உட்புகுந்துள்ளது. ஒரு போக நெல் சாகுபடி மட்டும் நடைமுறையில் உள்ளது.

இந்த காரணங்களால் மேற்கண்ட கிராமங்களில் அமைக்கப்பட்ட பாசன ஆழ்குழாய் கிணறுகளில் உள்ள தண்ணீரின் உப்புத்தன்மை அதிகரித்து கோடைக்கால இறவை பாசனம் செய்ய முடியாமல் விவசாயம் தடைப்பட்டுள்ளது. இந்த ஆழ்குழாய் கிணறுகளின் தண்ணீரை நெல் சாகுபடி நாற்றங்காலுக்கு பாய்ச்சும் போது நாற்றுகள் அழுசி பயிர்கள் அழிந்து விடுகிறது. இவ்வாறாக கோடைக்கால நெல் சாகுபடி முற்றிலும் செய்ய முடியாத நிலைக்கு தள்ளப்பட்டுள்ளது. ^{இது போக நெல் சாகுபடி மட்டுமே நடைமுறையில் உள்ளது.}

அக்கினியாற்றை பொருத்த மட்டில் 2010 ம் ஆண்டு முதல் அரசால் நடைப்பெற்ற தவறான மணல் குவாரி செயலாக்கம் மாளியக்காடு புல எண்கள் 112 ல் சுமார் 12 அடி ஆழம் வரை அதன் வடக்கு கரை சேதப்படுத்தப்பட்டு தவறான நீர்போக்கை ஏற்படுத்திய குவாரி செயலாக்கம் உயர்நீதிமன்ற செயல்முறைகளால் தடை செய்யப்பட்டுள்ளது. புல எண் 112 ன் தொடர்ச்சியாக சின்ன ஆவுடையார்கோவில் புல எண்கள் 8,9 மற்றும் 21 உள்ளது என்பது குறிப்பிட தக்கது.

தற்போது மகாராஜசமுத்திரம் ஆற்றில் கடல் நீர் தொக்காலிக்காடு கிராம புல எண் 1 ன் மகாராஜசமுத்திரம் ஆற்றின் கீழ்க்கரை வரை ^{நிலம் கிண} உட்புகுந்த நிலையில் அதன் அக்கினி ஆற்றின் இணைப்பு பகுதியில் அதன் மேற்கு திசை நோக்கிய அக்கினி ஆற்றின் அடுத்த புல எண் 1 ன் தொடர்ச்சியான அடுத்த புல எண்கள் 21, 8 மற்றும் 9 ஆகிய புல எண்களில் அதன் இயற்கையான நீர்போக்கு அல்லாத கரை பகுதிகளில் சுமார் 1 மீட்டர் அளவிலான மணல் படிவங்கள் உள்ள நிலையில் மாவட்ட அளவிலான சுற்றுச்சூழல் அனுமதி 3 ஹெக்டேர்ஸ் Lr No. DEIAA - TAJ - 1 F.No 75/1(a) EC No . 7/ 2017 dt 06-08-2018, அமைத்திட மாவட்ட ஆட்சியருக்கு வழங்கிய அனுமதியின் புல எண் 1 ன் கடல் நீர் உட்புகுந்து நன்னீர் தன்மை மாறிய விபரத்தை கருத்தில் கொள்ளவில்லை. என்பதையும்

(63)

**IN THE HIGH COURT OF JUDICATURE AT
MADRAS MADURAI BENCH
(SPECIAL ORIGINAL JURISDICTION)
W. P. (MD) No. 13712 of 2020**

Venkateshwaran,
S/o Sivasubramanian,
Maliyakadu Village and Post,
Nadimuthu via,
Pattukottai Taluk,
Thanjavur District.

...Petitioner

-Vs-

1. The Projector Director,
Sand Quarry Operations,
Public Works Department,(WRO),
PWD Office Campus,
Kalasara Mahal,
Cheppauk, Chennai - 5,
2. The District Collector,
Thanjavur District,
Thanjavur.
3. The Executive Engineer,
Water Resources department,
Public Works Department,
Mining and Monitoring,
Thanjavur.
4. The Thasildar,
Taluk Office,
Pattukottai,
Thanjavur District.

...Respondents

Counter Affidavit of the 3rd Respondent

I, R.Elangovan, S/o C.T.Rajamani aged about 58 years working as Executive Engineer, Public Works Department, Mining and Monitoring Division, Thanjavur do hereby solemnly affirm and sincerely state as follows.

(64)

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1. I am the Executive Engineer, Mining and Monitoring Division, Thanjavur. I am well acquainted with the facts and circumstances of the case from the available records. I am filing the counter affidavit on behalf of 3rd respondent.
2. It is submitted that, the Petitioner prayed to issue a Writ or order or direction in the nature of a writ of Certioraraified Mandamus to call for the records in R.C.No.280/Mines/2018 dated 10.02.2020 order passed by the 2nd respondent and set aside the same and pass such further or other orders. At the outset, this Respondent submits that, this Respondent denies all the averments/allegations raised by the Applicant herein except for those specifically admitted hereunder. In fact, the petition has been filed based on assumptions and presumptions and based on the own conclusions arrived by the Petitioner.
3. It is submitted that, as per the Environmental Impact Notification, 2006, the public hearing is to be conducted for sand quarries having the extent more than 25 Hectares. Since the sand quarry has an extent of only 3 hectares, the public hearing is not necessary. The Petitioner alleged that the public hearing was not conducted before granting the permission for quarry site due to lack of Knowledge about Environmental Impact Notification, 2006.
4. It is submitted that, the sand quarry operation in Tamil Nadu is only done by Public works Department from the year 2003 by incorporating the Rule 38A of Tamil Nadu Minor Mineral Concession Rules 1959. The Rule 38A was challenged by private quarry operator upto Hon'ble Supreme Court. Finally the Hon'ble Supreme Court upheld the Validity of Rule 38A in the case Krishnamurthy vs State of Tamilnadu vide Appeal(Civil)5572-5644 of 2005 dated 24.3.2006. From then the quarry operations was carried out in a systematic and scientific manner by the Public works Department.
5. It is submitted that, as per the approved Mining Plan, the Mean shoal height of shoal in the sand quarry area is 2.175m. Also as per the

Environmental Clearance in approved Mining Plan, the quarrying shall be permitted at 1.80m shoals. And it is further submitted that the quarrying so far done is upto the theoretical bed level from the existing bed level only, within the permitted limit of the boundary. The Quarrying operation is being carried out in open cast manual method only. Mining of sand is not done using machine and moreover shoals which are present in the river are being taken manually loaded in to bullock carts. Mining below the theoretical bed of the river is not carried out and the quarry is located 6 Km away from the Sea. Hence there is no possibility of intrusion of Sea water.

6. It is respectfully submitted that the allegations made by the petitioner in grounds H& I, is that the process for quarry operations at Chinna Avudaiyar Kovil village is carried out as per the rules and regulations of sand quarry. The Environmental Clearance from District Level Environmental Impact Assessment Authority was obtained vide letter No. DEIAA - Tnj-I/F.No.75/1(a)/ EC.No:7/2017 dated 06.08.2018 and based on the Environmental Clearance, the District Collector, Thanjavur has issued the proceeding for Chinna Avudaiyar Kovil Sand Quarry approval vide letter R.C.No.280/Mines/2018, dated 10.02.2020 and the order has been granted for only bullock carts.
7. It is submitted that the allegations made by the petitioner in grounds J, is that no order has been passed for the WP No.2884 of 2012 and the same is kept pending at Hon'ble high court of Madurai bench still. Further it is submitted that petitioner's allegation is a false statement.
8. It is submitted that, the Chinna Avudaiyar Kovil sand quarry at Pattukkottai Taluk of Thanjavur District was operated since 14.03.2020. There are Thousand three hundred and twenty four number of Bullock carts which are located near Pattukkottai and Peravurani Taluks were identified by the revenue department. After duly checked by the revenue department and PWD sent this lists for Project director's approval for enabling into online of these carts. An unique identity number is allotted for each bullock carts for the above said quarry. Each bullock carts is fixed with Radio frequency

identity (RFID) and mapped with the details of the bullock carts such as the owner's name, address and their phone number with the respective unique identity number. PWD scheduled the list of bullock carts for which sand is to be sold alone comes to the quarry. SMS is being sent to the registered bullock cart's owner's mobile number. An transparent system is followed for each and every day. Digital payment such as point of sale (POS) machines are used for obtaining the amount from the cart owner's Debit / Credit card and quarry operations are fully reordereed with CCTV Camera. The scheduled bullock carts which comes to quarry are verified by the person deputed for the quarries. These are verified by Assistant Engineer, Quarry is being operated from 7.00 AM to 5.00 PM on all Government working days.

9. It is respectfully submitted that as per the Hon'ble High Court of Madurai Bench Direction in W.P.(MD)No: 4251 of 2017 and batches dated 16.2.2018, a fool proof system has been evolved by the State Government to monitor sand quarry operations and curb the illicit sand quarrying as follows.
- a. A post of Project Director, Sand Quarrying Operations in the rank of an IAS officer has been formed during the year 2017, to streamline and monitor the sand quarrying operations across the State.
 - b. A Special Circle, namely Mining and Monitoring Circle under the control of a Superintending Engineer has been formed to specifically monitor sand quarrying.
 - c. Five divisions each headed by an Executive Engineer, with headquarters at Chennai, Villupuram, Trichy, Thanjavur and Madurai have been formed to ensure smooth operations of the sand quarries.
 - d. The quarries are fitted with CCTV Cameras to monitor and prevent any illicit activities in the Sand Quarrying Operations.

The Government has established a Centralized Control Room at Chennai to monitor the Sand Quarrying Operations, through live streaming from CCTV cameras installed at quarries. A robust Customer Care Centre is in function to respond to the queries from public pertaining to sand quarry operations in the State and TN Sand Application and to receive complaints on illegalities, if any, happening within the sand quarries. Such complaints would be recorded and immediate action will be taken to sort out the issues.

- e. It is respectfully submitted that above steps were already taken to make this operation more transparent and accountable. Emphasis will now be given more towards refurbishing the process from quarry site identification to lifting of sand.
- f. It is also respectfully submitted that once the site is being selected for sand quarry, it will be ensured that the RDO/Sub-Collector, Assistant/Deputy Director, Mines and Geology, Executive Engineer, TWAD Board and the PWD officials along with the Recognized Qualified Professional (RQP) do a joint inspection to ascertain permanent structures, water schemes and other factors before giving consent. Any deviation of conditions noted in their reports will make the concerned officials jointly liable for their dereliction of duty. RQP holds the pivotal role in preparation of Mining Plan. Due responsibility will be fixed on the concerned RQP if any undue violation is noticed in the Mining Plan preparation.
- g. It is submitted that once the Environmental Clearance is obtained, the PWD officials will ensure that the four boundaries would be fixed taking into account the traditional revenue and modern methods of surveying. It is also ensured that boundary stones are erected at 50 m intervals along the boundaries with markings of shoal height, river bed height and depth to be excavated. Periodical survey using Drones are proposed to be carried out to check the depth of quarrying and assess the quantity of sand excavated.

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- h. It is respectfully submitted that necessary steps have been taken to make all quarries ideal to abide with environmental and legal norms. A sound monitoring mechanism is already in place to monitor any excesses or violation and take strictest action. It is respectfully submitted that as per G.O. (Ms) No. 135 of Industries Department, dated 13.11.2009, the quarry operations are being monitored by the Taluk Level Task Force convened by the Thasildar and a team of officials entrusted for this purpose every fortnight. Necessary registers are being maintained in the quarry where the Taluk Task Force would inspect and write down the findings on ground. The report from Taluk Level Task Force is being placed before the District Level Task Force which is chaired by the District Collector. This District Level Task Force is convened monthly once which in turn discusses the issues of illegal quarrying and sends reports to the State Appellate Forum formed as per G.O. (Ms) No. 27 of Industries Dept. dated 17.02.2015. The District Level Task Force also disposes the petitions on illegal sand quarrying after due enquiry and scrutiny, and pass orders within a period of two months from the date of receipt of the complaint. If the petitioner is aggrieved with the orders passed by the District Level Task Force, an appeal may be preferred before the Appellate Forum. It is under active consideration that an environmental expert from reputed State/Central institution and a legal expert on environmental matters be nominated by the District Collector to be a part of the District Level Task Force.
- i. On the whole, it will be ensured that the District Collector will oversee, monitor and streamline the functioning of quarries in compliance with the existing statutes and submit a monthly report on the status of functioning of sand quarries to the Appellate Forum. The District Collector will be directed to take necessary steps to strengthen the

existing District and Taluk Level Committees and act on the complaints received, if any, on illegal sand quarrying and take strict remedial measures to rectify the same in a time bound manner.

- j. An Appellate Forum formed as per G.O. (Ms) No. 27 of Industries Dept. dated 17.02.2015 has already been in place, to hear appeals filed against the orders passed by the District Level Task Force. An Appellate Forum has already been constituted with the following officials.

Sl. No.	Designation of the Officer	Department
1	The Secretary to Government	Industries Department
2	The Secretary to Government	Public Works Department
3	The Secretary to Government	Revenue Department
4	The Secretary to Government	Environment and Forests Department.
5	Commissioner of Geology and Mining	Industries Department
6	Professor Dr. Ambujam	Director, Centre for Water Resources, Anna University.

- k. This Forum is meeting to deliberate on the reports from the District Level Task Force and to dispose the appeals made by the petitioners aggrieved with the orders passed by the District Level Task Force. As there are already existing Committees in place, it is respectfully submitted that strengthening of already existing systems would be undertaken to curb illegal quarrying, if any in the sand quarries.
- l. It is submitted that the most important of all would be the judicious mine closure plan that needs be initiated once the quarry is closed after exhaustion of the quantity of sand. Reclamation works are factored into the contract agreement and strict monitoring by the PWD officials is initiated to scrupulously follow up the mine closure plan.

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m. It is submitted that in the prevailing online permit issuing system, there is an APP called "INVESTIGATOR APP" to check whether the permit is genuine.

Under the above circumstances, it is prayed that this Hon'ble Court may be pleased to dismiss the Writ Petition as devoid of merits and pass such further order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

Solemnly affirmed at Madurai this
ME the day of October, 2020 and
Signed his name in my presence.

BEFORE

(11)

DISTRICT: THANJAVUR

**IN THE HIGH COURT OF
JUDICATURE AT MADRAS
MADURAI BENCH
(Special Original Jurisdiction)**

W. P. (MD) No. 13712 of 2020

**AFFIDAVIT FILED BY THE
3rd RESPONDENT**

SPECIAL GOVERNMENT PLEADER

(7)

**IN THE HIGH COURT OF JUDICATURE AT MADRAS
MADURAI BENCH
(Special Original Jurisdiction)**

W.P.(MD) No.13712 of 2020

Venkateshwaran,
S/o Sivasubramanian,
Maliyakadu Village and Post,
Nadimuthu via,
Pattukottai Taluk,
Thanjavur District.

...Petitioner

-Vs-

1. The Projector Director,
Sand Quarry Operations,
Public Works Department,(WRO),
PWD Office Campus,
Kalasara Mahal,
Cheppauk, Chennai - 5,
And 3 others

... Respondents

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It is certified that the above produced documents are true copies of their originals.

Dated at Madurai this day of October, 2020.

Special Government Pleader

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(Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii) .
MINISTRY OF ENVIRONMENT AND FORESTS

New Delhi 14th September, 2006

Notification

S.O. 1533 Whereas, a draft notification under sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 for imposing certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts as indicated in the Schedule to the notification, being undertaken in any part of India¹, unless prior environmental clearance has been accorded in accordance with the objectives of National Environment Policy as approved by the Union Cabinet on 18th May, 2006 and the procedure specified in the notification, by the Central Government or the State or Union territory Level Environment Impact Assessment Authority (SEIAA), to be constituted by the Central Government in consultation with the State Government or the Union territory Administration concerned under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 for the purpose of this notification, was published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) vide number S.O. 1324 (E) dated the 15th September, 2005 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 15th September, 2005;

And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification number S.O. 60 (E) dated the 27th January, 1994, except in respect of things done or omitted to be done before such supersession, the Central Government hereby directs that on and from the date of its publication the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to this notification entailing capacity addition with change in process and or technology shall be undertaken in any part of India only after the prior environmental clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified hereinafter in this notification.

¹Includes the territorial waters

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2. **Requirements of prior Environmental Clearance (EC):-** The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule, before any construction work, or preparation of land by the project management except for securing the land, is started on the project or activity:

- (i) All new projects or activities listed in the Schedule to this notification;
- (ii) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;
- (iii) Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range.

3. **State Level Environment Impact Assessment Authority:-** (1) A State Level Environment Impact Assessment Authority hereinafter referred to as the SEIAA shall be constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 comprising of three Members including a Chairman and a Member - Secretary to be nominated by the State Government or the Union territory Administration concerned.

- (2) The Member-Secretary shall be a serving officer of the concerned State Government or Union territory administration familiar with environmental laws.
- (3) The other two Members shall be either a professional or expert fulfilling the eligibility criteria given in Appendix VI to this notification.
- (4) One of the specified Members in sub-paragraph (3) above who is an expert in the Environmental Impact Assessment process shall be the Chairman of the SEIAA.
- (5) The State Government or Union territory Administration shall forward the names of the Members and the Chairman referred in sub- paragraph 3 to 4 above to the Central Government and the Central Government shall constitute the SEIAA as an authority for the purposes of this notification within thirty days of the date of receipt of the names.
- (6) The non-official Member and the Chairman shall have a fixed term of three years (from the date of the publication of the notification by the Central Government constituting the authority).
- (7) All decisions of the SEIAA shall be unanimous and taken in a meeting.

4. **Categorization of projects and activities:-**

- (i) All projects and activities are broadly categorized in to two categories - Category A and Category B, based on the spatial extent of potential impacts and potential impacts on human health and natural and man made resources.

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(ii) All projects or activities included as Category 'A' in the Schedule, including expansion and modernization of existing projects or activities and change in product mix, shall require prior environmental clearance from the Central Government in the Ministry of Environment and Forests (MoEF) on the recommendations of an Expert Appraisal Committee (EAC) to be constituted by the Central Government for the purposes of this notification;

(iii) All projects or activities included as Category 'B' in the Schedule, including expansion and modernization of existing projects or activities as specified in sub paragraph (ii) of paragraph 2, or change in product mix as specified in sub paragraph (iii) of paragraph 2, but excluding those which fulfill the General Conditions (GC) stipulated in the Schedule, will require prior environmental clearance from the State/Union territory Environment Impact Assessment Authority (SEIAA). The SEIAA shall base its decision on the recommendations of a State or Union territory level Expert Appraisal Committee (SEAC) as to be constituted for in this notification. In the absence of a duly constituted SEIAA or SEAC, a Category 'B' project shall be treated as a Category 'A' project;

5. Screening, Scoping and Appraisal Committees:-

The same Expert Appraisal Committees (EACs) at the Central Government and SEACs (hereinafter referred to as the (EAC) and (SEAC) at the State or the Union territory level shall screen, scope and appraise projects or activities in Category 'A' and Category 'B' respectively. EAC and SEAC's shall meet at least once every month.

(a) The composition of the EAC shall be as given in Appendix VI. The SEAC at the State or the Union territory level shall be constituted by the Central Government in consultation with the concerned State Government or the Union territory Administration with identical composition;

(b) The Central Government may, with the prior concurrence of the concerned State Governments or the Union territory Administrations, constitute one SEAC for more than one State or Union territory for reasons of administrative convenience and cost;

(c) The EAC and SEAC shall be reconstituted after every three years;

(d) The authorised members of the EAC and SEAC, concerned, may inspect any site(s) connected with the project or activity in respect of which the prior environmental clearance is sought, for the purposes of screening or scoping or appraisal, with prior notice of at least seven days to the applicant, who shall provide necessary facilities for the inspection;

(e) The EAC and SEACs shall function on the principle of collective responsibility. The Chairperson shall endeavour to reach a consensus in each case, and if consensus cannot be reached, the view of the majority shall prevail.

6. Application for Prior Environmental Clearance (EC):-

An application seeking prior environmental clearance in all cases shall be made in the prescribed Form 1 annexed herewith and Supplementary Form 1A, if applicable, as given in Appendix II, after the identification of prospective site(s) for the project and/or activities to which the application relates, before commencing any construction activity, or preparation of land, at the site by the applicant. The applicant shall furnish, along with the application, a copy of the pre-feasibility project report except that, in case of construction projects or activities (item 8 of the Schedule) in addition to Form 1 and the Supplementary Form 1A, a copy of the conceptual plan shall be provided, instead of the pre-feasibility report.

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7. Stages in the Prior Environmental Clearance (EC) Process for New Projects:-

7(i) The environmental clearance process for new projects will comprise of a maximum of four stages, all of which may not apply to particular cases as set forth below in this notification. These four stages in sequential order are:-

- Stage (1) Screening (Only for Category 'B' projects and activities)
- Stage (2) Scoping
- Stage (3) Public Consultation
- Stage (4) Appraisal

I. Stage (1) - Screening:

In case of Category 'B' projects or activities, this stage will entail the scrutiny of an application seeking prior environmental clearance made in Form 1 by the concerned State level Expert Appraisal Committee (SEAC) for determining whether or not the project or activity requires further environmental studies for preparation of an Environmental Impact Assessment (EIA) for its appraisal prior to the grant of environmental clearance depending up on the nature and location specificity of the project. The projects requiring an Environmental Impact Assessment report shall be termed Category 'B1' and remaining projects shall be termed Category 'B2' and will not require an Environment Impact Assessment report. For categorization of projects into B1 or B2 except item 8 (b), the Ministry of Environment and Forests shall issue appropriate guidelines from time to time.

II. Stage (2) - Scoping:

(i) "Scoping": refers to the process by which the Expert Appraisal Committee in the case of Category 'A' projects or activities, and State level Expert Appraisal Committee in the case of Category 'B1' projects or activities, including applications for expansion and/or modernization and/or change in product mix of existing projects or activities, determine detailed and comprehensive Terms Of Reference (TOR) addressing all relevant environmental concerns for the preparation of an Environment Impact Assessment (EIA) Report in respect of the project or activity for which prior environmental clearance is sought. The Expert Appraisal Committee or State level Expert Appraisal Committee concerned shall determine the Terms of Reference on the basis of the information furnished in the prescribed application Form 1/Form 1A including Terms of Reference proposed by the applicant, a site visit by a sub- group of Expert Appraisal Committee or State level Expert Appraisal Committee concerned only if considered necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, Terms of Reference suggested by the applicant if furnished and other information that may be available with the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. All projects and activities listed as Category 'B' in Item 8 of the Schedule (Construction/Township/Commercial Complexes /Housing) shall not require Scoping and will be appraised on the basis of Form 1/ Form 1A and the conceptual plan.

(ii) The Terms of Reference (TOR) shall be conveyed to the applicant by the Expert Appraisal Committee or State Level Expert Appraisal Committee as concerned within sixty days of the receipt of Form 1. In the case of Category A Hydroelectric projects Item 1(c) (i) of the Schedule the Terms of Reference shall be conveyed along with the clearance for pre-construction activities. If the Terms of Reference are not finalized and conveyed to the applicant within sixty days of the receipt of Form 1, the Terms of Reference suggested by the applicant shall be deemed as the final Terms of Reference approved for the EIA studies. The approved Terms of

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Reference shall be displayed on the website of the Ministry of Environment and Forests and the concerned State Level Environment Impact Assessment Authority.

(iii) Applications for prior environmental clearance may be rejected by the regulatory authority concerned on the recommendation of the EAC or SEAC concerned at this stage itself. In case of such rejection, the decision together with reasons for the same shall be communicated to the applicant in writing within sixty days of the receipt of the application.

III. Stage (3) - Public Consultation:

(i) "Public Consultation" refers to the process by which the concerns of local affected persons and others who have plausible stake in the environmental impacts of the project or activity are ascertained with a view to taking into account all the material concerns in the project or activity design as appropriate. All Category 'A' and Category B1 projects or activities shall undertake Public Consultation, except the following:-

- (a) modernization of irrigation projects (item 1(c) (ii) of the Schedule).
- (b) all projects or activities located within industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals.
- (c) expansion of Roads and Highways (item 7 (f) of the Schedule) which do not involve any further acquisition of land.
- (d) all Building /Construction projects/Area Development projects and Townships (item 8).
- (e) all Category 'B2' projects and activities.
- (f) all projects or activities concerning national defence and security or involving other strategic considerations as determined by the Central Government.

(ii) The Public Consultation shall ordinarily have two components comprising of:-

(a) a public hearing at the site or in its close proximity- district wise, to be carried out in the manner prescribed in Appendix IV, for ascertaining concerns of local affected persons;

(b) obtain responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity.

(iii) the public hearing at, or in close proximity to, the site(s) in all cases shall be conducted by the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) concerned in the specified manner and forward the proceedings to the regulatory authority concerned within 45(forty five) of a request to the effect from the applicant.

(iv) in case the State Pollution Control Board or the Union territory Pollution Control Committee concerned does not undertake and complete the public hearing within the specified period, and/or does not convey the proceedings of the public hearing within the prescribed period

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directly to the regulatory authority concerned as above, the regulatory authority shall engage another public agency or authority which is not subordinate to the regulatory authority, to complete the process within a further period of forty five days.

(v) If the public agency or authority nominated under the sub paragraph (iii) above reports to the regulatory authority concerned that owing to the local situation, it is not possible to conduct the public hearing in a manner which will enable the views of the concerned local persons to be freely expressed, it shall report the facts in detail to the concerned regulatory authority, which may, after due consideration of the report and other reliable information that it may have, decide that the public consultation in the case need not include the public hearing.

(vi) For obtaining responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity, the concerned regulatory authority and the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) shall invite responses from such concerned persons by placing on their website the Summary EIA report prepared in the format given in Appendix IIIA by the applicant along with a copy of the application in the prescribed form, within seven days of the receipt of a written request for arranging the public hearing. Confidential information including non-disclosable or legally privileged information involving Intellectual Property Right, source specified in the application shall not be placed on the web site. The regulatory authority concerned may also use other appropriate media for ensuring wide publicity about the project or activity. The regulatory authority shall, however, make available on a written request from any concerned person the Draft EIA report for inspection at a notified place during normal office hours till the date of the public hearing. All the responses received as part of this public consultation process shall be forwarded to the applicant through the quickest available means.

(vii) After completion of the public consultation, the applicant shall address all the material environmental concerns expressed during this process, and make appropriate changes in the draft EIA and EMP. The final EIA report, so prepared, shall be submitted by the applicant to the concerned regulatory authority for appraisal. The applicant may alternatively submit a supplementary report to draft EIA and EMP addressing all the concerns expressed during the public consultation.

IV. Stage (4) - Appraisal:

(i) Appraisal means the detailed scrutiny by the Expert Appraisal Committee or State Level Expert Appraisal Committee of the application and other documents like the Final EIA report, outcome of the public consultations including public hearing proceedings, submitted by the applicant to the regulatory authority concerned for grant of environmental clearance. This appraisal shall be made by Expert Appraisal Committee or State Level Expert Appraisal Committee concerned in a transparent manner in a proceeding to which the applicant shall be invited for furnishing necessary clarifications in person or through an authorized representative. On conclusion of this proceeding, the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall make categorical recommendations to the regulatory authority concerned either for grant of prior environmental clearance on stipulated terms and conditions, or rejection of the application for prior environmental clearance, together with reasons for the same.

(ii) The appraisal of all projects or activities which are not required to undergo public consultation, or submit an Environment Impact Assessment report, shall be carried out on the basis of the prescribed application Form 1 and Form 1A as applicable, any other relevant

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validated information available and the site visit wherever the same is considered as necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.

(iii) The appraisal of an application shall be completed by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within sixty days of the receipt of the final Environment Impact Assessment report and other documents or the receipt of Form 1 and Form 1 A, where public consultation is not necessary and the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee shall be placed before the competent authority for a final decision within the next fifteen days. The prescribed procedure for appraisal is given in Appendix V ;

7(ii). Prior Environmental Clearance (EC) process for Expansion or Modernization or Change of product mix in existing projects:

All applications seeking prior environmental clearance for expansion with increase in the production capacity beyond the capacity for which prior environmental clearance has been granted under this notification or with increase in either lease area or production capacity in the case of mining projects or for the modernization of an existing unit with increase in the total production capacity beyond the threshold limit prescribed in the Schedule to this notification through change in process and or technology or involving a change in the product -mix shall be made in Form I and they shall be considered by the concerned Expert Appraisal Committee or State Level Expert Appraisal Committee within sixty days, who will decide on the due diligence necessary including preparation of EIA and public consultations and the application shall be appraised accordingly for grant of environmental clearance.

8. Grant or Rejection of Prior Environmental Clearance (EC):

(i) The regulatory authority shall consider the recommendations of the EAC or SEAC concerned and convey its decision to the applicant within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned or in other words within one hundred and five days of the receipt of the final Environment Impact Assessment Report, and where Environment Impact Assessment is not required, within one hundred and five days of the receipt of the complete application with requisite documents, except as provided below.

(ii) The regulatory authority shall normally accept the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. In cases where it disagrees with the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, the regulatory authority shall request reconsideration by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned while stating the reasons for the disagreement. An intimation of this decision shall be simultaneously conveyed to the applicant. The Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, in turn, shall consider the observations of the regulatory authority and furnish its views on the same within a further period of sixty days. The decision of the regulatory authority after considering the views of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be final and conveyed to the applicant by the regulatory authority concerned within the next thirty days.

(iii) In the event that the decision of the regulatory authority is not communicated to the applicant within the period specified in sub-paragraphs (i) or (ii) above, as applicable, the

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applicant may proceed as if the environment clearance sought for has been granted or denied by the regulatory authority in terms of the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.

(iv) On expiry of the period specified for decision by the regulatory authority under paragraph (i) and (ii) above, as applicable, the decision of the regulatory authority, and the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be public documents.

(v) Clearances from other regulatory bodies or authorities shall not be required prior to receipt of applications for prior environmental clearance of projects or activities, or screening, or scoping, or appraisal, or decision by the regulatory authority concerned, unless any of these is sequentially dependent on such clearance either due to a requirement of law, or for necessary technical reasons.

(vi) Deliberate concealment and/or submission of false or misleading information or data which is material to screening or scoping or appraisal or decision on the application shall make the application liable for rejection, and cancellation of prior environmental clearance granted on that basis. Rejection of an application or cancellation of a prior environmental clearance already granted, on such ground, shall be decided by the regulatory authority, after giving a personal hearing to the applicant, and following the principles of natural justice.

9. Validity of Environmental Clearance (EC):

The "Validity of Environmental Clearance" is meant the period from which a prior environmental clearance is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub paragraph (iv) of paragraph 7 above, to the start of production operations by the project or activity, or completion of all construction operations in case of construction projects (item 8 of the Schedule), to which the application for prior environmental clearance refers. The prior environmental clearance granted for a project or activity shall be valid for a period of ten years in the case of River Valley projects (item 1(c) of the Schedule), project life as estimated by Expert Appraisal Committee or State Level Expert Appraisal Committee subject to a maximum of thirty years for mining projects and five years in the case of all other projects and activities. However, in the case of Area Development projects and Townships [item 8(b)], the validity period shall be limited only to such activities as may be the responsibility of the applicant as a developer. This period of validity may be extended by the regulatory authority concerned by a maximum period of five years provided an application is made to the regulatory authority by the applicant within the validity period, together with an updated Form 1, and Supplementary Form 1A, for Construction projects or activities (item 8 of the Schedule). In this regard the regulatory authority may also consult the Expert Appraisal Committee or State Level Expert Appraisal Committee as the case may be.

10. Post Environmental Clearance Monitoring:

(i) It shall be mandatory for the project management to submit half-yearly compliance reports in respect of the stipulated prior environmental clearance terms and conditions in hard and soft copies to the regulatory authority concerned, on 1st June and 1st December of each calendar year.

(ii) All such compliance reports submitted by the project management shall be public documents. Copies of the same shall be given to any person on application to the concerned regulatory authority. The latest such compliance report shall also be displayed on the web site of the concerned regulatory authority.

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11. Transferability of Environmental Clearance (EC):

A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

12. Operation of EIA Notification, 1994, till disposal of pending cases:

From the date of final publication of this notification the Environment Impact Assessment (EIA) notification number S.O.60 (E) dated 27th January, 1994 is hereby superseded, except in suppression of the things done or omitted to be done before such suppression to the extent that in case of all or some types of applications made for prior environmental clearance and pending on the date of final publication of this notification, the Central Government may relax any one or all provisions of this notification except the list of the projects or activities requiring prior environmental clearance in Schedule I, or continue operation of some or all provisions of the said notification, for a period not exceeding one year from the date of issue of this notification.

[No. J-11013/56/2004-IA-II (I)]

(R.CHANDRAMOHAN)
JOINT SECRETARY TO THE GOVERNMENT OF INDIA

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SCHEDULE

(See paragraph 2 and 7)

LIST OF PROJECTS OR ACTIVITIES REQUIRING PRIOR ENVIRONMENTAL CLEARANCE

Project or Activity		Category with threshold limit		Conditions if any
		A	B	
1		Mining, extraction of natural resources and power generation (for a specified production capacity)		
(1)	(2)	(3)	(4)	(5)
1(a)	Mining of minerals	<p>≥ 50 ha. of mining lease area</p> <p>Asbestos mining irrespective of mining area</p>	<p><50 ha</p> <p>≥ 5 ha .of mining lease area.</p>	<p>General Condition shall apply</p> <p><u>Note</u> Mineral prospecting (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey</p>
1(b)	Offshore and onshore oil and gas exploration, development & production	All projects		<p><u>Note</u> Exploration Surveys (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey</p>
1(c)	River Valley projects	<p>(i) ≥ 50 MW hydroelectric power generation;</p> <p>(ii) ≥ 10,000 ha. of culturable command area</p>	<p>(i) < 50 MW ≥ 25 MW hydroelectric power generation;</p> <p>(ii) < 10,000 ha. of culturable command area</p>	General Condition shall apply
1(d)	Thermal Power Plants	<p>≥ 500 MW (coal/lignite/naptha & gas based);</p> <p>≥ 50 MW (Pet coke diesel and all other fuels -)</p>	<p>< 500 MW (coal/lignite/naptha & gas based);</p> <p><50 MW</p> <p>≥ 5MW (Pet coke ,diesel and all other fuels)</p>	General Condition shall apply

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(1)	(2)	(3)	(4)	(5)
1(e)	Nuclear power projects and processing of nuclear fuel	All projects	-	
2		Primary Processing		
2(a)	Coal washeries	≥ 1 million ton/annum throughput of coal	< 1 million ton/annum throughput of coal	General Condition shall apply (If located within mining area the proposal shall be appraised together with the mining proposal)
2 (b)	Mineral beneficiation	≥ 0.1 million ton/annum mineral throughput	< 0.1 million ton/annum mineral throughput	General Condition shall apply (Mining proposal with Mineral beneficiation shall be appraised together for grant of clearance)

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Materials Production				
(1)	(2)	(3)	(4)	(5)
3(a)	Metallurgical industries (ferrous & non ferrous)	a) Primary metallurgical industry All projects b) Sponge iron manufacturing ≥ 200 TPD c) Secondary metallurgical processing industry All toxic and heavy metal producing units $\geq 20,000$ tonnes /annum	Sponge iron manufacturing < 200 TPD Secondary metallurgical processing industry i.) All toxic and heavy metal producing units $< 20,000$ tonnes /annum ii.) All other non-toxic secondary metallurgical processing industries > 5000 tonnes/annum	General Condition shall apply for Sponge iron manufacturing
3(b)	Cement plants	≥ 1.0 million tonnes/annum production capacity	< 1.0 million tonnes/annum production capacity. All Stand alone grinding units	General Condition shall apply

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Materials Processing				
(1)	(2)	(3)	(4)	(5)
4(a)	Petroleum refining industry	All projects	-	-
4(b)	Coke oven plants	≥2,50,000 tonnes/annum	<2,50,000 & ≥25,000 tonnes/annum	-
4(c)	Asbestos milling and asbestos based products	All projects	-	-
4(d)	Chlor-alkali industry	≥300 TPD production capacity or a unit located out side the notified industrial area/estate	<300 TPD production capacity and located within a notified industrial area/estate	Specific Condition shall apply No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempted from this Notification
4(e)	Soda ash Industry	All projects	-	-
4(f)	Leather/skin/hide processing industry	New projects outside the industrial area or expansion of existing units out side the industrial area	All new or expansion of projects located within a notified industrial area/estate	Specific condition shall apply
5				
Manufacturing/Fabrication				
5(a)	Chemical fertilizers	All projects	-	-
5(b)	Pesticides industry and pesticide specific intermediates (excluding formulations)	All units producing technical pesticides	-	-

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(1)	(2)	(3)	(4)	(5)
5(c)	Petro-chemical complexes (industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics)	All projects -	-	-
5(d)	Manmade fibres manufacturing	Rayon	Others	General Condition shall apply
5(e)	Petrochemical based processing (processes other than cracking & reformation and not covered under the complexes)	Located out side the notified industrial area/ estate -	Located in a notified industrial area/ estate	Specific Condition shall apply
5(f)	Synthetic organic chemicals industry (dyes & dye intermediates; bulk drugs and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates)	Located out side the notified industrial area/ estate	Located in a notified industrial area/ estate	Specific Condition shall apply
5(g)	Distilleries	(i) All Molasses based distilleries (ii) All Cane juice/ non-molasses based distilleries ≥ 30 KLD	All Cane juice/non-molasses based distilleries - <30 KLD	General Condition shall apply
5(h)	Integrated paint industry	-	All projects	General Condition shall apply

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(1)	(2)	(3)	(4)	(5)
5(i)	Pulp & paper industry excluding manufacturing of paper from waste paper and manufacture of paper from ready pulp with out bleaching	Pulp manufacturing and Paper manufacturing industry -	Paper manufacturing industry without pulp manufacturing	General Condition shall apply
5(j)	Sugar Industry	-	≥ 5000 tcd cane crushing capacity	General Condition shall apply
5(k)	Induction/arc furnaces/cupola furnaces 5TPH or more	-	All projects	General Condition shall apply
6	Service Sectors			
6(a)	Oil & gas transportation pipe line (crude and refinery/ petrochemical products), passing through national parks /sanctuaries/coral reefs /ecologically sensitive areas including LNG Terminal	All projects -		

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(1)	(2)	(3)	(4)	(5)
6(b)	Isolated storage & handling of hazardous chemicals (As per threshold planning quantity indicated in column 3 of schedule 2 & 3 of MSIHC Rules 1989 amended 2000)	-	All projects	General Condition shall apply
7	Physical Infrastructure including Environmental Services			
7(a)	Air ports	All projects	-	-
7(b)	All ship breaking yards including ship breaking units	All projects	-	-
7(c)	Industrial estates/ parks/ complexes/ areas, export processing Zones (EPZs), Special Economic Zones (SEZs), Biotech Parks, Leather Complexes.	If at least one industry in the proposed industrial estate falls under the Category A, entire industrial area shall be treated as Category A, irrespective of the area. Industrial estates with area greater than 500 ha. and housing at least one Category B industry.	-Industrial estates housing at least one Category B industry and area <500 ha. Industrial estates of area > 500 ha. and not housing any industry belonging to Category A or B.	Special condition shall apply Note: Industrial Estate of area below 500 ha. and not housing any industry of category A or B does not require clearance.
7(d)	Common hazardous waste treatment, storage and disposal facilities (TSDFs)	All integrated facilities having incineration & landfill or incineration alone	All facilities having land fill only	General Condition shall apply

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(1)	(2)	(3)	(4)	(5)
7(e)	Ports, Harbours	≥ 5 million TPA of cargo handling capacity (excluding fishing harbours)	< 5 million TPA of cargo handling capacity and/or ports/ harbours ≥10,000 TPA of fish handling capacity	General Condition shall apply
7(f)	Highways	i) New National High ways; and ii) Expansion of National High ways greater than 30 KM, involving additional right of way greater than 20m involving land acquisition and passing through more than one State.	i) New State High ways; and ii) Expansion of National / State Highways greater than 30 km involving additional right of way greater than 20m involving land acquisition.	General Condition shall apply
7(g)	Aerial ropeways		All projects	General Condition shall apply
7(h)	Common Effluent Treatment Plants (CETPs)		All projects	General Condition shall apply
7(i)	Common Municipal Solid Waste Management Facility (CMSWMF)		All projects	General Condition shall apply

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(1)	(2)	(3)	(4)	(5)
8		Building /Construction projects/Area Development projects and Townships		
8(a)	Building and Construction projects		≥20000 sq.mtrs and <1,50,000 sq.mtrs. of built-up area#	#(built up area for covered construction; in the case of facilities open to the sky, it will be the activity area)
8(b)	Townships and Area Development projects.		Covering an area ≥ 50 ha and or built up area ≥1,50,000 sq .mtrs ++	**All projects under Item 8(b) shall be appraised as Category B1

Note:-

General Condition (GC):

Any project or activity specified in Category 'B' will be treated as Category A, if located in whole or in part within 10 km from the boundary of: (i) Protected Areas notified under the Wild Life (Protection) Act, 1972, (ii) Critically Polluted areas as notified by the Central Pollution Control Board from time to time, (iii) Notified Eco-sensitive areas, (iv) inter-State boundaries and international boundaries.

Specific Condition (SC):

If any Industrial Estate/Complex / Export processing Zones /Special Economic Zones/Biotech Parks / Leather Complex with homogeneous type of industries such as Items 4(d), 4(f), 5(e), 5(f), or those Industrial estates with pre -defined set of activities (not necessarily homogeneous, obtains prior environmental clearance, individual industries including proposed industrial housing within such estates /complexes will not be required to take prior environmental clearance, so long as the Terms and Conditions for the industrial estate/complex are complied with (Such estates/complexes must have a clearly identified management with the legal responsibility of ensuring adherence to the Terms and Conditions of prior environmental clearance, who may be held responsible for violation of the same throughout the life of the complex/estate).

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APPENDIX I

(See paragraph - 6)

FORM 1

(I) Basic Information

Name of the Project:

Location / site alternatives under consideration:

Size of the Project: *

Expected cost of the project:

Contact Information:

Screening Category:

- Capacity corresponding to sectoral activity (such as production capacity for manufacturing, mining lease area and production capacity for mineral production, area for mineral exploration, length for linear transport infrastructure, generation capacity for power generation etc..)

(II) Activity

1. Construction, operation or decommissioning of the Project involving actions, which will cause physical changes in the locality (topography, land use, changes in water bodies, etc.)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1.1	Permanent or temporary change in land use, land cover or topography including increase in intensity of land use (with respect to local land use plan)		
1.2	Clearance of existing land, vegetation and buildings?		
1.3	Creation of new land uses?		
1.4	Pre-construction investigations e.g. bore houses, soil testing?		
1.5	Construction works?		

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1.6	Demolition works?		
1.7	Temporary sites used for construction works or housing of construction workers?		
1.8	Above ground buildings, structures or earthworks including linear structures, cut and fill or excavations		
1.9	Underground works including mining or tunneling?		
1.10	Reclamation works?		
1.11	Dredging?		
1.12	Offshore structures?		
1.13	Production and manufacturing processes?		
1.14	Facilities for storage of goods or materials?		
1.15	Facilities for treatment or disposal of solid waste or liquid effluents?		
1.16	Facilities for long term housing of operational workers?		
1.17	New road, rail or sea traffic during construction or operation?		
1.18	New road, rail, air waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc?		
1.19	Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements?		
1.20	New or diverted transmission lines or pipelines?		
1.21	Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?		
1.22	Stream crossings?		
1.23	Abstraction or transfers of water from ground or surface waters?		
1.24	Changes in water bodies or the land surface affecting drainage or run-off?		

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1.25	Transport of personnel or materials for construction, operation or decommissioning?		
1.26	Long-term dismantling or decommissioning or restoration works?		
1.27	Ongoing activity during decommissioning which could have an impact on the environment?		
1.28	Influx of people to an area in either temporarily or permanently?		
1.29	Introduction of alien species?		
1.30	Loss of native species or genetic diversity?		
1.31	Any other actions?		

2. Use of Natural resources for construction or operation of the Project (such as land, water, materials or energy, especially any resources which are non-renewable or in short supply):

S.No.	Information/checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
2.1	Land especially undeveloped or agricultural land (ha)		
2.2	Water (expected source & competing users) unit: KLD		
2.3	Minerals (MT)		
2.4	Construction material - stone, aggregates, and / soil (expected source - MT)		
2.5	Forests and timber (source - MT)		
2.6	Energy including electricity and fuels (source, competing users) Unit: fuel (MT), energy (MW)		
2.7	Any other natural resources (use appropriate standard units)		

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3. Use, storage, transport, handling or production of substances or materials, which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health.

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
3.1	Use of substances or materials, which are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna, and water supplies)		
3.2	Changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)		
3.3	Affect the welfare of people e.g. by changing living conditions?		
3.4	Vulnerable groups of people who could be affected by the project e.g. hospital patients, children, the elderly etc.,		
3.5	Any other causes		

4. Production of solid wastes during construction or operation or decommissioning (MT/month)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
4.1	Spoil, overburden or mine wastes		
4.2	Municipal waste (domestic and or commercial wastes)		
4.3	Hazardous wastes (as per Hazardous Waste Management Rules)		

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4.4	Other industrial process wastes		
4.5	Surplus product		
4.6	Sewage sludge or other sludge from effluent treatment		
4.7	Construction or demolition wastes		
4.8	Redundant machinery or equipment		
4.9	Contaminated soils or other materials		
4.10	Agricultural wastes		
4.11	Other solid wastes		

5. Release of pollutants or any hazardous, toxic or noxious substances to air (Kg/hr)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
5.1	Emissions from combustion of fossil fuels from stationary or mobile sources		
5.2	Emissions from production processes		
5.3	Emissions from materials handling including storage or transport		
5.4	Emissions from construction activities including plant and equipment		
5.5	Dust or odours from handling of materials including construction materials, sewage and waste		

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5.6	Emissions from incineration of waste		
5.7	Emissions from burning of waste in open air (e.g. slash materials, construction debris)		
5.8	Emissions from any other sources		

6. Generation of Noise and Vibration, and Emissions of Light and Heat:

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data with source of information data
6.1	From operation of equipment e.g. engines, ventilation plant, crushers		
6.2	From industrial or similar processes		
6.3	From construction or demolition		
6.4	From blasting or piling		
6.5	From construction or operational traffic		
6.6	From lighting or cooling systems		
6.7	From any other sources		

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7. Risks of contamination of land or water from releases of pollutants into the ground or into sewers, surface waters, groundwater, coastal waters or the sea:

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
7.1	From handling, storage, use or spillage of hazardous materials		
7.2	From discharge of sewage or other effluents to water or the land (expected mode and place of discharge)		
7.3	By deposition of pollutants emitted to air into the land or into water		
7.4	From any other sources		
7.5	Is there a risk of long term build up of pollutants in the environment from these sources?		

8. Risk of accidents during construction or operation of the Project, which could affect human health or the environment

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
8.1	From explosions, spillages, fires etc from storage, handling, use or production of hazardous substances		
8.2	From any other causes		
8.3	Could the project be affected by natural disasters causing environmental damage (e.g. floods, earthquakes, landslides, cloudburst etc)?		

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9. Factors which should be considered (such as consequential development) which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
9.1	<p>Lead to development of supporting. lities. ancillary development or development stimulated by the project which could have impact on the environment e.g.:</p> <ul style="list-style-type: none"> • Supporting infrastructure (roads, power supply, waste or waste water treatment, etc.) • housing development • extractive industries • supply industries • other 		
9.2	Lead to after-use of the site, which could have an impact on the environment		
9.3	Set a precedent for later developments		
9.4	Have cumulative effects due to proximity to other existing or planned projects with similar effects		

(III) Environmental Sensitivity

S.No.	Areas	Name/ Identity	Aerial distance (within 15 km.) Proposed project location boundary
1	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value		

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2	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests		
3	Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration		
4	Inland, coastal, marine or underground waters		
5	State, National boundaries		
6	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas		
7	Defence installations		
8	Densely populated or built-up area		
9	Areas occupied by sensitive man-made land uses (<i>hospitals, schools, places of worship, community facilities</i>)		
10	Areas containing important, high quality or scarce resources (<i>ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals</i>)		
11	Areas already subjected to pollution or environmental damage. (<i>those where existing legal environmental standards are exceeded</i>)		
12	Areas susceptible to natural hazard which could cause the project to present environmental problems (<i>earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions</i>)		

(IV). Proposed Terms of Reference for EIA studies

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APPENDIX II

(See paragraph 6)

FORM-1 A (only for construction projects listed under item 8 of the Schedule)

CHECK LIST OF ENVIRONMENTAL IMPACTS

(Project proponents are required to provide full information and wherever necessary attach explanatory notes with the Form and submit along with proposed environmental management plan & monitoring programme)

1. LAND ENVIRONMENT

(Attach panoramic view of the project site and the vicinity)

- 1.1. Will the existing landuse get significantly altered from the project that is not consistent with the surroundings? (Proposed landuse must conform to the approved Master Plan / Development Plan of the area. Change of landuse if any and the statutory approval from the competent authority be submitted). Attach Maps of (i) site location, (ii) surrounding features of the proposed site (within 500 meters) and (iii) the site (indicating levels & contours) to appropriate scales. If not available attach only conceptual plans.
- 1.2. List out all the major project requirements in terms of the land area, built up area, water consumption, power requirement, connectivity, community facilities, parking needs etc.
- 1.3. What are the likely impacts of the proposed activity on the existing facilities adjacent to the proposed site? (Such as open spaces, community facilities, details of the existing landuse, disturbance to the local ecology).
- 1.4. Will there be any significant land disturbance resulting in erosion, subsidence & instability? (Details of soil type, slope analysis, vulnerability to subsidence, seismicity etc may be given).
- 1.5. Will the proposal involve alteration of natural drainage systems? (Give details on a contour map showing the natural drainage near the proposed project site)
- 1.6. What are the quantities of earthwork involved in the construction activity-cutting, filling, reclamation etc. (Give details of the quantities of earthwork involved, transport of fill materials from outside the site etc.)
- 1.7. Give details regarding water supply, waste handling etc during the construction period.
- 1.8. Will the low lying areas & wetlands get altered? (Provide details of how low lying and wetlands are getting modified from the proposed activity)
- 1.9. Whether construction debris & waste during construction cause health hazard? (Give quantities of various types of wastes generated during construction including the construction labour and the means of disposal)

2. WATER ENVIRONMENT

- 2.1. Give the total quantity of water requirement for the proposed project with the breakup of requirements for various uses. How will the water requirement met? State the sources & quantities and furnish a water balance statement.

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- 2.2. What is the capacity (dependable flow or yield) of the proposed source of water?
- 2.3. What is the quality of water required, in case, the supply is not from a municipal source? (Provide physical, chemical, biological characteristics with class of water quality)
- 2.4. How much of the water requirement can be met from the recycling of treated wastewater? (Give the details of quantities, sources and usage)
- 2.5. Will there be diversion of water from other users? (Please assess the impacts of the project on other existing uses and quantities of consumption)
- 2.6. What is the incremental pollution load from wastewater generated from the proposed activity? (Give details of the quantities and composition of wastewater generated from the proposed activity)
- 2.7. Give details of the water requirements met from water harvesting? Furnish details of the facilities created.
- 2.8. What would be the impact of the land use changes occurring due to the proposed project on the runoff characteristics (quantitative as well as qualitative) of the area in the post construction phase on a long term basis? Would it aggravate the problems of flooding or water logging in any way?
- 2.9. What are the impacts of the proposal on the ground water? (Will there be tapping of ground water; give the details of ground water table, recharging capacity, and approvals obtained from competent authority, if any)
- 2.10. What precautions/measures are taken to prevent the run-off from construction activities polluting land & aquifers? (Give details of quantities and the measures taken to avoid the adverse impacts)
- 2.11. How is the storm water from within the site managed?(State the provisions made to avoid flooding of the area, details of the drainage facilities provided along with a site layout indication contour levels)
- 2.12. Will the deployment of construction labourers particularly in the peak period lead to unsanitary conditions around the project site (Justify with proper explanation)
- 2.13. What on-site facilities are provided for the collection, treatment & safe disposal of sewage? (Give details of the quantities of wastewater generation, treatment capacities with technology & facilities for recycling and disposal)
- 2.14. Give details of dual plumbing system if treated waste used is used for flushing of toilets or any other use.

3. VEGETATION

- 3.1. Is there any threat of the project to the biodiversity? (Give a description of the local ecosystem with it's unique features, if any)

- 3.2. Will the construction involve extensive clearing or modification of vegetation? (Provide a detailed account of the trees & vegetation affected by the project)
- 3.3. What are the measures proposed to be taken to minimize the likely impacts on important site features (Give details of proposal for tree plantation, landscaping, creation of water bodies etc along with a layout plan to an appropriate scale)

4. FAUNA

- 4.1. Is there likely to be any displacement of fauna- both terrestrial and aquatic or creation of barriers for their movement? Provide the details.
- 4.2. Any direct or indirect impacts on the avifauna of the area? Provide details.
- 4.3. Prescribe measures such as corridors, fish ladders etc to mitigate adverse impacts on fauna

5. AIR ENVIRONMENT

- 5.1. Will the project increase atmospheric concentration of gases & result in heat islands? (Give details of background air quality levels with predicted values based on dispersion models taking into account the increased traffic generation as a result of the proposed constructions)
- 5.2. What are the impacts on generation of dust, smoke, odorous fumes or other hazardous gases? Give details in relation to all the meteorological parameters.
- 5.3. Will the proposal create shortage of parking space for vehicles? Furnish details of the present level of transport infrastructure and measures proposed for improvement including the traffic management at the entry & exit to the project site.
- 5.4. Provide details of the movement patterns with internal roads, bicycle tracks, pedestrian pathways, footpaths etc., with areas under each category.
- 5.5. Will there be significant increase in traffic noise & vibrations? Give details of the sources and the measures proposed for mitigation of the above.
- 5.6. What will be the impact of DG sets & other equipment on noise levels & vibration in & ambient air quality around the project site? Provide details.

6. AESTHETICS

- 6.1. Will the proposed constructions in any way result in the obstruction of a view, scenic amenity or landscapes? Are these considerations taken into account by the proponents?
- 6.2. Will there be any adverse impacts from new constructions on the existing structures? What are the considerations taken into account?
- 6.3. Whether there are any local considerations of urban form & urban design influencing the design criteria? They may be explicitly spelt out.
- 6.4. Are there any anthropological or archaeological sites or artefacts nearby? State if any other significant features in the vicinity of the proposed site have been considered.

7. SOCIO-ECONOMIC ASPECTS

- 7.1. Will the proposal result in any changes to the demographic structure of local population? Provide the details.

- 7.2. Give details of the existing social infrastructure around the proposed project.
- 7.3. Will the project cause adverse effects on local communities, disturbance to sacred sites or other cultural values? What are the safeguards proposed?

8. BUILDING MATERIALS

- 8.1. May involve the use of building materials with high-embodied energy. Are the construction materials produced with energy efficient processes? (Give details of energy conservation measures in the selection of building materials and their energy efficiency)
- 8.2. Transport and handling of materials during construction may result in pollution, noise & public nuisance. What measures are taken to minimize the impacts?
- 8.3. Are recycled materials used in roads and structures? State the extent of savings achieved?
- 8.4. Give details of the methods of collection, segregation & disposal of the garbage generated during the operation phases of the project.

9. ENERGY CONSERVATION

- 9.1. Give details of the power requirements, source of supply, backup source etc. What is the energy consumption assumed per square foot of built-up area? How have you tried to minimize energy consumption?
- 9.2. What type of, and capacity of, power back-up to you plan to provide?
- 9.3. What are the characteristics of the glass you plan to use? Provide specifications of its characteristics related to both short wave and long wave radiation?
- 9.4. What passive solar architectural features are being used in the building? Illustrate the applications made in the proposed project.
- 9.5. Does the layout of streets & buildings maximise the potential for solar energy devices? Have you considered the use of street lighting, emergency lighting and solar hot water systems for use in the building complex? Substantiate with details.
- 9.6. Is shading effectively used to reduce cooling/heating loads? What principles have been used to maximize the shading of Walls on the East and the West and the Roof? How much energy saving has been effected?
- 9.7. Do the structures use energy-efficient space conditioning, lighting and mechanical systems? Provide technical details. Provide details of the transformers and motor efficiencies, lighting intensity and air-conditioning load assumptions? Are you using CFC and HCFC free chillers? Provide specifications.
- 9.8. What are the likely effects of the building activity in altering the micro-climates? Provide a self assessment on the likely impacts of the proposed construction on creation of heat island & inversion effects?

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- 9.9. What are the thermal characteristics of the building envelope? (a) roof: (b) external walls; and (c) fenestration? Give details of the material used and the U-values or the R values of the individual components.
- 9.10. What precautions & safety measures are proposed against fire hazards? Furnish details of emergency plans.
- 9.11. If you are using glass as wall material provides details and specifications including emissivity and thermal characteristics.
- 9.12. What is the rate of air infiltration into the building? Provide details of how you are mitigating the effects of infiltration.
- 9.13. To what extent the non-conventional energy technologies are utilised in the overall energy consumption? Provide details of the renewable energy technologies used.

10. Environment Management Plan

The Environment Management Plan would consist of all mitigation measures for each item wise activity to be undertaken during the construction, operation and the entire life cycle to minimize adverse environmental impacts as a result of the activities of the project. It would also delineate the environmental monitoring plan for compliance of various environmental regulations. It will state the steps to be taken in case of emergency such as accidents at the site including fire.

APPENDIX III

(See paragraph 7

GENERIC STRUCTURE OF ENVIRONMENTAL IMPACT ASSESMENT DOCUMENT

S.NO	EIA STRUCTURE	CONTENTS
1.	Introduction	<ul style="list-style-type: none"> • Purpose of the report • Identification of project & project proponent • Brief description of nature, size, location of the project and its importance to the country, region • Scope of the study – details of regulatory scoping carried out (As per Terms of Reference)
2.	Project Description	<ul style="list-style-type: none"> • Condensed description of those aspects of the project (based on project feasibility study), likely to cause environmental effects. Details should be provided to give clear picture of the following: <ul style="list-style-type: none"> • Type of project • Need for the project • Location (maps showing general location, specific location, project boundary & project site layout) • Size or magnitude of operation (incl. Associated activities required by or for the project) • Proposed schedule for approval and implementation • Technology and process description • Project description. Including drawings showing project layout, components of project etc. Schematic representations of the feasibility drawings which give information important for EIA purpose • Description of mitigation measures incorporated into the project to meet environmental standards, environmental operating conditions, or other EIA requirements (as required by the scope) • Assessment of New & untested technology for the risk of technological failure

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3.	Description of the Environment	<ul style="list-style-type: none">• Study area, period, components & methodology• Establishment of baseline for valued environmental components, as identified in the scope• Base maps of all environmental components
4.	Anticipated Environmental Impacts & Mitigation Measures	<ul style="list-style-type: none">• Details of Investigated Environmental impacts due to project location, possible accidents, project design, project construction, regular operations, final decommissioning or rehabilitation of a completed project• Measures for minimizing and / or offsetting adverse impacts identified• Irreversible and Irretrievable commitments of environmental components• Assessment of significance of impacts (Criteria for determining significance, Assigning significance)• Mitigation measures
5.	Analysis of Alternatives (Technology & Site)	<ul style="list-style-type: none">• In case, the scoping exercise results in need for alternatives:• Description of each alternative• Summary of adverse impacts of each alternative• Mitigation measures proposed for each alternative and• Selection of alternative
6.	Environmental Monitoring Program	<ul style="list-style-type: none">• Technical aspects of monitoring the effectiveness of mitigation measures (incl. Measurement methodologies, frequency, location, data analysis, reporting schedules, emergency procedures, detailed budget & procurement schedules)
7.	Additional Studies	<ul style="list-style-type: none">• Public Consultation• Risk assessment• Social Impact Assessment. R&R Action Plans
8.	Project Benefits	<ul style="list-style-type: none">• Improvements in the physical infrastructure• Improvements in the social infrastructure• Employment potential –skilled; semi-skilled and unskilled• Other tangible benefits

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9.	Environmental Benefit Analysis	Cost	If recommended at the Scoping stage
10.	EMP		<ul style="list-style-type: none">• Description of the administrative aspects of ensuring that mitigative measures are implemented and their effectiveness monitored, after approval of the EIA
11	Summary & Conclusion (This will constitute the summary of the EIA Report)		<ul style="list-style-type: none">• Overall justification for implementation of the project• Explanation of how, adverse effects have been mitigated
12.	Disclosure of Consultants engaged		<ul style="list-style-type: none">• The names of the Consultants engaged with their brief resume and nature of Consultancy rendered

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APPENDIX III A
(See paragraph 7)

CONTENTS OF SUMMARY ENVIRONMENTAL IMPACT ASSESSMENT

The Summary EIA shall be a summary of the full EIA Report condensed to ten A-4 size pages at the maximum. It should necessarily cover in brief the following Chapters of the full EIA Report: -

1. Project Description
2. Description of the Environment
3. Anticipated Environmental impacts and mitigation measures
4. Environmental Monitoring Programme
5. Additional Studies
6. Project Benefits
7. Environment Management Plan

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APPENDIX IV
(See paragraph 7)

PROCEDURE FOR CONDUCT OF PUBLIC HEARING

1.0 The Public Hearing shall be arranged in a systematic, time bound and transparent manner ensuring widest possible public participation at the project site(s) or in its close proximity District -wise, by the concerned State Pollution Control Board (SPCB) or the Union Territory Pollution Control Committee (UTPCC).

2.0 The Process:

2.1 The Applicant shall make a request through a simple letter to the Member Secretary of the SPCB or Union Territory Pollution Control Committee, in whose jurisdiction the project is located, to arrange the public hearing within the prescribed statutory period. In case the project site is extending beyond a State or Union Territory, the public hearing is mandated in each State or Union Territory in which the project is sited and the Applicant shall make separate requests to each concerned SPCB or UTPCC for holding the public hearing as per this procedure.

2.2 The Applicant shall enclose with the letter of request, at least 10 hard copies and an equivalent number of soft (electronic) copies of the draft EIA Report with the generic structure given in Appendix III including the Summary Environment Impact Assessment report in English and in the local language, prepared strictly in accordance with the Terms of Reference communicated after Scoping (Stage-2). Simultaneously the applicant shall arrange to forward copies, one hard and one soft, of the above draft EIA Report along with the Summary EIA report to the Ministry of Environment and Forests and to the following authorities or offices, within whose jurisdiction the project will be located:

- (a) District Magistrate/s
- (b) Zila Parishad or Municipal Corporation
- (c) District Industries Office
- (d) Concerned Regional Office of the Ministry of Environment and Forests

2.3 On receiving the draft Environmental Impact Assessment report, the above-mentioned authorities except the MoEF, shall arrange to widely publicize it within their respective jurisdictions requesting the interested persons to send their comments to the concerned regulatory authorities. They shall also make available the draft EIA Report for inspection electronically or otherwise to the public during normal office hours till the Public Hearing is over. The Ministry of Environment and Forests shall promptly display the Summary of the draft Environmental Impact Assessment report on its website, and also make the full draft EIA available for reference at a notified place during normal office hours in the Ministry at Delhi.

2.4 The SPCB or UTPCC concerned shall also make similar arrangements for giving publicity about the project within the State/Union Territory and make available the Summary of the draft Environmental Impact Assessment report (Appendix III A) for inspection in select offices or public libraries or panchayats etc. They shall also additionally

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make available a copy of the draft Environmental Impact Assessment report to the above five authorities/offices viz. Ministry of Environment and Forests, District Magistrate etc.

3.0 Notice of Public Hearing:

3.1 The Member-Secretary of the concerned SPCB or UTPCC shall finalize the date, time and exact venue for the conduct of public hearing within 7(seven) days of the date of receipt of the draft Environmental Impact Assessment report from the project proponent, and advertise the same in one major National Daily and one Regional vernacular Daily. A minimum notice period of 30(thirty) days shall be provided to the public for furnishing their responses;

3.2 The advertisement shall also inform the public about the places or offices where the public could access the draft Environmental Impact Assessment report and the Summary Environmental Impact Assessment report before the public hearing.

3.3 No postponement of the date, time, venue of the public hearing shall be undertaken, unless some untoward emergency situation occurs and only on the recommendation of the concerned District Magistrate the postponement shall be notified to the public through the same National and Regional vernacular dailies and also prominently displayed at all the identified offices by the concerned SPCB or Union Territory Pollution Control Committee;

3.4 In the above exceptional circumstances fresh date, time and venue for the public consultation shall be decided by the Member -Secretary of the concerned SPCB or UTPCC only in consultation with the District Magistrate and notified afresh as per procedure under 3.1 above.

4.0 The Panel

4.1 The District Magistrate or his or her representative not below the rank of an Additional District Magistrate assisted by a representative of SPCB or UTPCC, shall supervise and preside over the entire public hearing process.

5.0 Videography

5.1 The SPCB or UTPCC shall arrange to video film the entire proceedings. A copy of the videotape or a CD shall be enclosed with the public hearing proceedings while forwarding it to the Regulatory Authority concerned.

6.0 Proceedings

6.1 The attendance of all those who are present at the venue shall be noted and annexed with the final proceedings.

6.2 There shall be no quorum required for attendance for starting the proceedings.

6.3 A representative of the applicant shall initiate the proceedings with a presentation on the project and the Summary EIA report.

6.4 Every person present at the venue shall be granted the opportunity to seek information or clarifications on the project from the Applicant. The summary of the public

hearing proceedings accurately reflecting all the views and concerns expressed shall be recorded by the representative of the SPCB or UTPCC and read over to the audience at the end of the proceedings explaining the contents in the vernacular language and the agreed minutes shall be signed by the District Magistrate or his or her representative on the same day and forwarded to the SPCB/UTPCC concerned.

6.5 A Statement of the issues raised by the public and the comments of the Applicant shall also be prepared in the local language and in English and annexed to the proceedings:-

6.6 The proceedings of the public hearing shall be conspicuously displayed at the office of the Panchyats within whose jurisdiction the project is located, office of the concerned Zila Parishad, District Magistrate, and the SPCB or UTPCC. The SPCB or UTPCC shall also display the proceedings on its website for general information. Comments, if any, on the proceedings which may be sent directly to the concerned regulatory authorities and the Applicant concerned.

7.0 Time period for completion of public hearing

7.1 The public hearing shall be completed within a period of 45 (forty five) days from date of receipt of the request letter from the Applicant. Therefore the SPCB or UTPCC concerned shall sent the public hearing proceedings to the concerned regulatory authority within 8(eight) days of the completion of the public hearing. The applicant may also directly forward a copy of the approved public hearing proceedings to the regulatory authority concerned along with the final Environmental Impact Assessment report or supplementary report to the draft EIA report prepared after the public hearing and public consultations.

7.2 If the SPCB or UTPCC fails to hold the public hearing within the stipulated 45(forty five) days, the Central Government in Ministry of Environment and Forests for Category 'A' project or activity and the State Government or Union Territory Administration for Category 'B' project or activity at the request of the SEIAA, shall engage any other agency or authority to complete the process, as per procedure laid down in this notification.

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APPENDIX -V
(See paragraph 7)

PROCEDURE PRESCRIBED FOR APPRAISAL

1. The applicant shall apply to the concerned regulatory authority through a simple communication enclosing the following documents where public consultations are mandatory: -
 - Final Environment Impact Assessment Report [20(twenty) hard copies and 1 (one) soft copy]
 - A copy of the video tape or CD of the public hearing proceedings
 - A copy of final layout plan (20 copies)
 - A copy of the project feasibility report (1 copy)
2. The Final EIA Report and the other relevant documents submitted by the applicant shall be scrutinized in office within 30 days from the date of its receipt by the concerned Regulatory Authority strictly with reference to the TOR and the inadequacies noted shall be communicated electronically or otherwise in a single set to the Members of the EAC /SEAC enclosing a copy each of the Final EIA Report including the public hearing proceedings and other public responses received along with a copy of Form -1 or Form 1A and scheduled date of the EAC /SEAC meeting for considering the proposal .
3. Where a public consultation is not mandatory and therefore a formal EIA study is not required, the appraisal shall be made on the basis of the prescribed application Form 1 and a pre-feasibility report in the case of all projects and activities other than Item 8 of the Schedule .In the case of Item 8 of the Schedule, considering its unique project cycle , the EAC or SEAC concerned shall appraise all Category B projects or activities on the basis of Form 1, Form 1A and the conceptual plan and stipulate the conditions for environmental clearance . As and when the applicant submits the approved scheme /building plans complying with the stipulated environmental clearance conditions with all other necessary statutory approvals, the EAC /SEAC shall recommend the grant of environmental clearance to the competent authority.
4. Every application shall be placed before the EAC /SEAC and its appraisal completed within 60 days of its receipt with requisite documents / details in the prescribed manner.
5. The applicant shall be informed at least 15 (fifteen) days prior to the scheduled date of the EAC /SEAC meeting for considering the project proposal.
6. The minutes of the EAC /SEAC meeting shall be finalised within 5 working days of the meeting and displayed on the website of the concerned regulatory authority. In case the project or activity is recommended for grant of EC, then the minutes shall clearly list out the specific environmental safeguards and conditions. In case the recommendations are for rejection, the reasons for the same shall also be explicitly stated.

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APPENDIX VI
(See paragraph 5)

COMPOSITION OF THE SECTOR/ PROJECT SPECIFIC EXPERT APPRAISAL COMMITTEE (EAC) FOR CATEGORY A PROJECTS AND THE STATE/UT LEVEL EXPERT APPRAISAL COMMITTEES (SEACs) FOR CATEGORY B PROJECTS TO BE CONSTITUTED BY THE CENTRAL GOVERNMENT

1. The Expert Appraisal Committees (EAC(s) and the State/UT Level Expert Appraisal Committees (SEACs) shall consist of only professionals and experts fulfilling the following eligibility criteria:

Professional: The person should have at least (i) 5 years of formal University training in the concerned discipline leading to a MA/MSc Degree, or (ii) in case of Engineering /Technology/Architecture disciplines, 4 years formal training in a professional training course together with prescribed practical training in the field leading to a B.Tech/B.E./B.Arch. Degree, or (iii) Other professional degree (e.g. Law) involving a total of 5 years of formal University training and prescribed practical training, or (iv) Prescribed apprenticeship/article ship and pass examinations conducted by the concerned professional association (e.g. Chartered Accountancy),or (v) a University degree , followed by 2 years of formal training in a University or Service Academy (e.g. MBA/IAS/IFS). In selecting the individual professionals, experience gained by them in their respective fields will be taken note of.

Expert: A professional fulfilling the above eligibility criteria with at least 15 years of relevant experience in the field, or with an advanced degree (e.g. Ph.D.) in a concerned field and at least 10 years of relevant experience.

Age: Below 70 years. However, in the event of the non-availability of /paucity of experts in a given field, the maximum age of a member of the Expert Appraisal Committee may be allowed up to 75 years

2. The Members of the EAC shall be Experts with the requisite expertise and experience in the following fields /disciplines. In the event that persons fulfilling the criteria of "Experts" are not available, Professionals in the same field with sufficient experience may be considered:

- **Environment Quality Experts:** Experts in measurement/monitoring, analysis and interpretation of data in relation to environmental quality
- **Sectoral Experts in Project Management:** Experts in Project Management or Management of Process/Operations/Facilities in the relevant sectors.
- **Environmental Impact Assessment Process Experts:** Experts in conducting and carrying out Environmental Impact Assessments (EIAs) and preparation of Environmental Management Plans (EMPs) and other Management plans and who have wide expertise and knowledge of predictive techniques and tools used in the EIA process
- **Risk Assessment Experts**
- **Life Science Experts in floral and faunal management**
- **Forestry and Wildlife Experts**

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• **Environmental Economics Expert with experience in project appraisal**

3. The Membership of the EAC shall not exceed 15 (fifteen) regular Members. However the Chairperson may co-opt an expert as a Member in a relevant field for a particular meeting of the Committee.
4. The Chairperson shall be an outstanding and experienced environmental policy expert or expert in management or public administration with wide experience in the relevant development sector.
5. The Chairperson shall nominate one of the Members as the Vice Chairperson who shall preside over the EAC in the absence of the Chairman /Chairperson.
6. A representative of the Ministry of Environment and Forests shall assist the Committee as its Secretary.
7. The maximum tenure of a Member, including Chairperson, shall be for 2 (two) terms of 3 (three) years each.
8. The Chairman / Members may not be removed prior to expiry of the tenure without cause and proper enquiry.

சுற்று

தேசியப் பள்ளிப் பரிகேசகால வட்டம்
 146. சின்ன ஆயுதப்பி கேளிக் கிளம்
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 புது: 5.38.0 திபுளைய அது 43000க்கு
 என் 2 வாகுபடு கெண்டெம்மியு தேபு
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 தேபுளெம்மியு 40000000 என் 50000 கிபுமவ
 தேபுளெம்மியு என் 20000000 என் 20000000
 4 கிபு 20000000 தேபு 20000000

M. சுவாமிநாதன்
 கிராம நிர்வாக அலுவலர்
 146. சின்ன ஆயுதப்பி கேளிக்
 பரிகேசகால வட்டம்

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JOINT INSPECTION REPORT

The Executive Engineer, Public Works Department, Mining and Monitoring Division Thanjavur in letter No. F1 /DO /Estimate/ dated.14.06.2018 has forwarded the proposal to District collector for quarrying sand over an extent of 3.00.0 Hects of Government poramboke land in River Agniyar. The pit length of 300 meters and breath of 100 meters in S.F.No.9 & 8 of Chinna Avudaiyar kovil village in Pattukottai Taluk, Thanjavur District.

As instructed by the District Collector vide Rc.No.280/2018/dated 18.06.2018 the area jointly inspected on 23.06.2018. The joint inspection team headed by the Revenue Divisional Officer Pattukottai along with the, The Assistant Executive Engineer TWAD Board Thanajvur, The Assistant Executive Engineer Mining and Monitoring Division Thanjavur, The Assistant Director (i/c) (Mines) Thanjavur, and The village Administrative Officer of Chinna Avudayarkovil Village, Pattukottai Taluk was also present at the time of inspection.

Under the circumstance stated above, the area proposed for sand quarrying satisfied the restrictions made in rule 36 of Tamil Nadu Minor Mineral Concession Rules 1959. There is no existing sand quarry within a radial distance of 1KM from the area.

In view of the above, the above said sand quarry over an extent of 3.00.0 Hectares of Government poramboke land in River Aagniyar. The pit the length of 300 meters and the breath of 100 meters in S.F.No.9 & 8 of Chinna Avudaiyar kovil Village in Pattukottai Taluk, Thanjavur District may be considered for grant under rule 38A of Tamil Nadu Minor Mineral Concession Rules, 1959 subject to the following conditions:-

- i) No quarrying operation shall be carried out within 500 meters from the drinking water well of the local bodies of the proposed area.
- ii) The shoals/dunes above natural theoretical river bed slope only shall be quarried at the first instance.
- iii) The ultimate working depth shall be one metre from theoretical river bed level.

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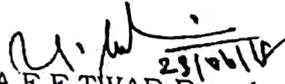
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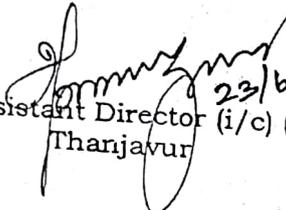
iv) Sand Quarrying shall not be carried out below ground water table under any circumstances.

v) Stream Mining shall not be allowed.

vi) It shall be ensured that excavation of sand do not disturb or change the underlying soil characteristics of the river bed where quarrying is proposed to be carried out.

vii) Machinery used for the above said sand quarry instruction given by DEIAA .


23/06/18
A.E.E TWAD Board,
Thanjavur


23/6/18
Assistant Director (i/c) (Mines),
Thanjavur


23/06/18
Asst. Executive Engineer,
PWD/WRD
Mining and Monitoring Division,
Thanjavur


23/06/18
Revenue Divisional Officer,
Pattukottai

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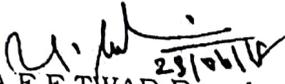
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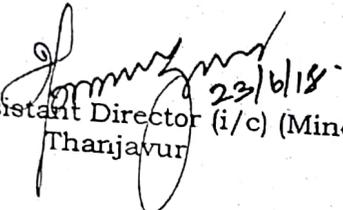
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23/06/18
A.E.E TWAD Board,
Thanjavur


23/06/18
Asst. Executive Engineer,
PWD/WRD
Mining and Monitoring Division,
Thanjavur


23/6/18
Assistant Director (i/c) (Mines),
Thanjavur


23/06/18
Revenue Divisional Officer,
Pattukottai

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From
Thiru.A.Annadurai, I.A.S.,
District Collector,
Thanjavur.

To
The Executive Engineer,
Public Works Department, WRD,
Mining and Monitoring Division,
Thanjavur.

Rc.No.280/Mines/2018, Dated: 4.06.2018

Sir,

Sub: Mines and Minerals - Minor Mineral - Sand quarry -
Thanjavur District - Pattukottai Taluk - Chinaavudayar Kovil
Village - River Aagniyar - in S.F.No.8 & 9 - Over an extent
of 3.00.0 Hectare - Permission requested by Executive
Engineer, PWD, WRD, MM Division, Thanjavur - Joint
Inspection conducted - Recommended - Precise area
communicated -Reg.

- Ref:
1. The Executive Engineer, Public Works Department, WRD (i/c), Mining and Monitoring Division, Thanjavur letter Rc.No.F1/DO/Estimate / Thanjavur Dated: 14.06.2018.
 2. Joint Inspection Report dated 20.06.2018
 3. Other connected records.

\$\$\$\$\$

The Executive Engineer, Public Works Department, WRD, Mining and Monitoring Division, Thanjavur has submitted a proposal requesting sand quarry permission in S.F.No.8 & 9 over an extent of 3.00.0 hecets in Aagniyar River of Chinaavudayar village, Pattukottai Taluk, Thanjavur District vide reference 1st cited.

2) In connection with the above, a Joint Inspection was carried out on 23.06.2018. The team consisting of the Revenue Divisional Officer, Pattukottai, Assistant Director(i/c), Geology and Mining, Thanjavur, Assistant Executive Engineer, PWD., Mining and Monitoring Division, Thanjavur, along with the Assistant Executive Engineer, TWAD, Thanjavur and submitted their joint inspection report vide reference 2nd cited.

3) Under the circumstance stated above, the area proposed for sand quarrying satisfied the restrictions made in rule 36 of Tamil Nadu Minor Mineral Concession Rules 1959. There is no existing sand quarry within a radial distance of 1KM from the area.

4) In view of the above, the above said sand quarry over an extent of 3.00.0 Hectares of Government poramboke land in River Aagniyar. The pit the length of 300 meters and the breath of 100 meters in S.F.No.8 & 9 of Chinna Avudaiyar kovil Village in

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Pattukottai Taluk, Thanjavur District may be considered for grant under rule 38A of Tamil Nadu Minor Mineral Concession Rules, 1959 subject to the following conditions:-

- i) No quarrying operation shall be carried out within 500 meters from the drinking water well of the local bodies of the proposed area.
- ii) The shoals/dunes above natural theoretical river bed slope only shall be quarried at the first instance.
- iii) The ultimate working depth shall be one meter from theoretical river bed level.
- iv) Sand Quarrying shall not be carried out below ground water table under any circumstances.
- v) Stream Mining shall not be allowed.
- vi) It shall be ensured that excavation of sand do not disturb or change the underlying soil characteristics of the river bed where quarrying is proposed to be carried out.

Further, it is ascertained that, during inspection, no objection was raised from the Public for the grant of sand quarrying in the proposed area.

4) Finally, they have recommended for the grant of sand quarry permission in S.F.No.8 & 9 over an extent of 3.00.0 hecets in Agniyar River of China avudayar kovil village, Pattukottai Taluk, Thanjavur District to the Executive Engineer, Public Works Department, WRD (i/c), Mining and Monitoring Division, Thanjavur.

5) Based on the above recommendations of the Joint Inspection Officials and in order to Bullock cart the need of sand for the construction purposes of the public and the Government Organisations, opening of a new sand quarry in the proposed area is an essential one.

6) As per Rules 41 & 42 of TNMMCR 1959 amended vide G.O.(Ms) No.79 Industries (MMC1) Department dt.06.04.2015, "Mining Plan and Environmental Clearance are pre-requisite to the grant of quarry lease for Minor Minerals like sand.

7) Therefore, in view of the above, an extent of 3.00.0 hecets in Agniyar River S.F.No.8 & 9 Chinaavudayar Kovil village, Pattukottai Taluk, Thanjavur District is considered as "Precise area" for the grant of sand quarry permission for a period of three years, on production of the Approved Mining Plan and Environmental Clearance obtain from the

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Rules,
grant

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District Level Environmental Impact Assessment Authority, Thanjavur
for grant of sand quarry permission, subject to the following conditions.

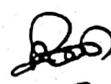
- i) Quarrying of sand should be carried out 50m away from the bank of the river.
- ii) Should provide permanent bench mark which shows the level of the river bed in the subject survey number.
- iii) Boundary stones should be laid all along the demarcated area as permitted.
- iv) Quarrying of sand should be down only in the mid - stream.
- v) River course should not be disturbed or changed due to quarrying of sand.
- vi) Should not cause any hindrance to the public while quarrying of sand in the river bed.
- vii) The conditions specified in Tamil Nadu Minor Mineral Concession Rules 1959, should be strictly adhered during the course of quarrying of sand.

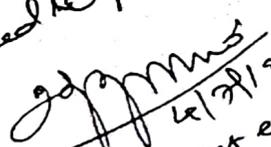
8) Hence, the the Executive Engineer, Public Works Department, WRD (i/c), Mining and Monitoring Division, Thanjavur is requested to produce the draft Mining Plan before the Assistant Director, (G&M), Thanjavur and prepared by a Recognized Qualified Person for approval and forwarding the same to the District Level Environmental Impact Assessment Authority, Thanjavur for getting Environmental Clearance, within a period of 3 months from the date of receipt of this precise area communication.

Sd/-A.Annadurai
District Collector,
Thanjavur.

//Forwarded/By Order//

o/c 
Assistant Director(i/c),
Geology and Mining,
Thanjavur.


4.7.18

Revised Copy.

Assistant engineer
Mining & monitoring
Neeelangal section.

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Thiru.A.Annadurai, I.A.S.,
Chairman.

**DISRICT LEVEL ENVIRONMENT
IMPACT ASSESSMENT AUTHORITY-
THANJAVUR**
Collectorate,
Thanjavur -600 310.
Phone No.04362 -270905
Fax No. 04362 - 230857

ENVIRONMENTAL CLEARANCE

Lr. No.DEIAA-Tni-I/F.No.75/1(a)/ EC.No: 7 /2017 dated: 06.08.2018

To
The Executive Engineer,
PWD WRD,
Mining and Monitoring Division,
Thanjavur.

Sub: DEIAA-Thanjavur – Proposed Sand quarry located at S.F.Nos. 8 & 9 – extent 3.00.0 He
- Chinna Avudayar kovil Village – Pattukottai Taluk, Thanjavur District- issue of
Environmental Clearance for Three years quantity – 54,000 m³ Sand - Reg.

- Ref:** 1. Your Application for Environmental Clearance dt:
2. Minutes of the DEAC 3th Meeting held on 16.07.2018.
3. Minutes of the DEIAA 3rd meeting held on 17.07.2018.

Details of Minor Mineral Activity:-

This has reference to your application first cited. The proposal is for obtaining environmental clearance for quarrying of minor minerals (Bullock cart Sand) based on the particulars furnished in your application as shown below.

1.	Name of Project Proponent and address	The Executive Engineer, PWD WRD, Mining and Monitoring Division, Thanjavur.	
2.	Location of the Proposed Activity	S.F.Nos. 8 & 9	
	Survey Number		
	Latitude and Longitude	10° 20' 23" N To 10° 20' 33" N	79° 20' 00" E To 79° 20' 05" E
	Village	Chinna Avudayar kovil	
	Taluk	Pattukottai	
	District	Thanjavur	
	Classification	Agniyar River	

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Conditions to
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3.	Proposed Activity	Sand Quarry
	i. Minor mineral	3,00.0
	ii. Mining Lease Area	54,000 cu.m
	iii. Approved quantity	1 meter below ground level
	iv. Depth of Mining	opencast method of shallow mining is proposed. machineries are not used in this sand quarry.
	v. Type of mining	B2
	vi. Category(B1/B2)	Rc.No.280//2018/Mines dt.04.07.2017
	vii. Precise area communication	Rc.No.280/2018 / Mines dt. 12.07.2018
	viii. Mining plan approval	3 Years
	ix. Mining lease period	Not attracted. Affidavit furnished
4.	Whether Project area attracts any General conditions specified in the EIA notification, 2006 as amended:-	7 Employees
5.	Man Power requirement per day:	The project does not require huge water.
6.	Utilities	
	i. Source of Water :	
	ii. Quantity of Water Requirement in KLD:	0.3 KLD
	a. Domestic & Drinking Water	5.0 KLD
	b. Dust Suppression	0.7 KLD
	c. Green Belt & Dust Suppression	
	Power Requirement	No Electricity is needed for quarry operation.
	d. Domestic purpose	
	e. Industrial purpose	
7.	Cost	Rs.77,85,000/-
	d. Project cost	
	e. EMP cost	Rs.5,55,000/-
8.	Public Consultation:-	Not required as per O.M. dated 24.12.2013 of MoEF, GoI.
9.	Date of Appraisal by DEAC:-	3 rd Meeting held on 18.07.2018
10.	Date of Review/Discussion by DEIAA and the Remarks:- The proposal was placed before the DEIAA in its 3 rd Meeting held on 17.7.2018 and the Authority after careful consideration, decided to grant environmental clearance to the said project Mining of sand Quarry subject to terms and conditions stipulated under the provisions of Environment Impact Assessment Notification, 2006 as amended.	
11.	Validity: This Environmental Clearance is granted to Mining of sand for the production quantity of 54,000 m3 sand for the period of 3 Years in Agniyar River from the date of execution of the mining permission granting authority.	

Conditions to be complied before commencing mining operations:

1. The project proponent shall advertise in local newspapers widely circulated in the region, that shall be in the vernacular language informing the public that
 - i. The project has been accorded Environmental Clearance.
 - ii. Copies of clearance letters are available with the Tamil Nadu Pollution Control Board.
 - iii. Environmental Clearance may also be seen on the website of the DEIAA.
 - iv. The advertisement should be made within 7 days from the date of receipt of the clearance letter and a copy of the same shall be forwarded to the DEIAA.
- 2) NOC from the Standing committee of the NBWL shall be obtained, if protected areas are located within 10 Km from the proposed project site.
- 3) The project proponent shall comply the conditions laid down in the Section V, Rule 36 of Tamil Nadu Minor Minerals Concession Rules 1959.
- 4) A copy of the Environment Clearance letter shall be sent by the proponent to the concerned Panchayat, Town Panchayat / Panchayat union/ Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the proponent and also kept at the site, for the general public to see.
- 5) Quarry lease area should be demarcated on the ground with wire fencing to show the boundary of the lease area on all sides with red flags on every pillar shall be erected before commencement of quarrying.
- 6) The proponent shall ensure that First Aid Box is available at quarry site.
- 7) The excavation activity shall not alter the natural drainage pattern of the area.
- 8) The proponent shall quarry and remove only in the permitted areas as per the approved Mining Plan details.
- 9) The quarrying operation shall be restricted between 7.00 AM and 5.00 PM.
- 10) The proponent shall take necessary measures to ensure that there shall not be any adverse impacts due to quarrying operation on the nearby human habitations, by way of pollution to the environment.
- 11) Depth of quarrying shall be above the ground water table /approved depth of mining whichever is lesser to be considered as a safe guard against Environmental Contamination and over exploitation of resources.

- 12) The mined out pits should be back filled where warranted and area should be landscaped to prevent environmental degradation. The mine closure plan as furnished proposal shall be strictly followed and tree plantation.
- 13) Wet drilling method is to be adopted to control dust emissions. Delay detonators and shock tube initiation system for blasting shall be used so as to reduce vibration and dust.
- 14) Drilling and blasting shall be done only either by licensed explosive agent or by the proponent after obtaining required approvals from Competent Authorities.
- 15) The explosives shall be stored at site as per the conditions stipulated in the permits issued by the licensing Authority.
- 16) Blasting shall be carried out after announcing to the public adequate time through public address system to avoid any accident.
- 17) A study has to be conducted to assess the optimum blast parameters and blast design to keep the vibration limits less than prescribed levels and only such design and parameters should be implemented while blasting is done. Periodical monitoring of the vibration at specified location to be conducted and records kept for inspection.
- 18) The Proponent shall take appropriate measures to ensure that the GLC shall comply with the revised NAAQ norms notified by MoEF, GoI on 16.11.2009.
- 19) The following measures are to be implemented to reduce Air Pollution during transportation of mineral
 - a. Roads shall be graded to mitigate the dust emission.
 - b. Water shall be sprinkled at regular interval on the main road and other service roads to suppress dust.
- 20) The following measures are to be implemented to reduce Noise Pollution
 - a. Proper and regular maintenance of vehicles and other equipment.
 - b. Limiting time exposure of workers to excessive noise.
 - c. The workers employed shall be provided with protection equipment and earmuffs etc.
 - d. Speed of trucks entering or leaving the mine is to be limited to moderate speed of 25 kmph to prevent undue noise from empty trucks.
- 21) Measures should be taken to comply with the provisions laid under Noise Pollution (Regulation and Control) (Amendment) Rules, 2010, dt: 11.01.2010 issued by the MoE&F, GoI to control noise to the prescribed levels.
- 22) Suitable conservation measures to augment groundwater resources in the area shall be planned and implemented in consultation with Regional Director, CGWB. Suitable measures should be taken for rainwater harvesting.
- 23) Permission from the competent authority should be obtained for drawl of ground water, if any, required for this project.

24) Topsoil, if an
should be used
25) The following m
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- 24) Topsoil, if any, shall be stacked properly with proper slope with adequate measures and should be used for plantation purpose.
- 25) The following measures are to be adopted to control erosion of dumps:-
- Retention/ toe walls shall be provided at the foot of the dumps.
 - Worked out slopes are to be stabilized by planting appropriate shrub/ grass species on the slopes.
- 26) Waste oils, used oils generated from the EM machines, mining operations, if any, shall be disposed as per the Hazardous Wastes (Management, Handling, and trans boundary movement) Rules, 2008 and its amendments thereof to the recyclers authorized by TNPCB.
- 27) Rain water harvesting to collect and utilize the entire water falling in land area should be provided.
- 28) Rain water getting accumulated in the quarry floor shall not be discharged directly to the nearby stream or water body. If it is to be let into the nearby water body, it has to be discharged into a silt trap on the surface within the lease area and only the overflow after allowing settling of soil be let into the nearby waterways. The silt trap should be of sufficient dimensions to catch all the silt water being pumped out during one season. The silt trap should be cleaned of all the deposited silt at the end of the season and kept ready for taking care of the silt in the next season.
- 29) The lease holder shall undertake adequate safeguard measures during extraction of material and ensure that due to this activity, the hydro-geological regime of the surrounding area shall not be affected. Regular monitoring of ground water level and quality shall be carried out around the mine lease area during the mining operation, If at any stage, if it is observed that the groundwater table is getting depleted due to the mining activity; necessary corrective measures shall be carried out. District Collector/mining officer shall ensure this.
- 30) No tree-felling shall be done in the leased area, except only with the permission from competent Authority.
- 31) To Take up environmental monitoring of the proposed quarry site before, during and after the mining activities including vibration study data, water, air & flora/fauna environment, slurry water generated/disposed and method of disposal, involving a reputed academic Institution.
- 32) It shall be ensured that the total extent of nearby quarries(existing, abandoned and proposed) located within 500 meter radius from the periphery of this quarry is not exceeding 25 hectares within the mining lease period of this application.
- 33) It shall be ensured that there is no habitation is located within 300 meter radius from the periphery of the quarry site and also ensure that no hindrance will be caused to the people of the habitation located within 500m radius from the periphery of the quarry site.
- 34) Ground water quality monitoring should be conducted once in 3 Months.

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- 35) Transportation of the quarried materials shall not cause any hindrance to the Village people/Existing Village road.
- 36) Air sampling at intersection point should be conducted and reported to MCB, Department of Geology and Mining and Regional Director, MoEF, GOI.
- 37) Bunds to be provided at the boundary of the project site.
- 38) The project proponent shall undertake plantation/afforestation work by planting the native species on all side of the lease area at the rate of 400/Ha. Suitable tall tree saplings should be planted on the bunds and other suitable areas in and around the work place.
- 39) Floor of excavated pit to be levelled and sides to be sloped with gentle slope (Except granite quarries) in the mine closure phase.
- 40) The Project Proponent shall ensure a minimum of 2.5% of the annual turnover will be utilized for the CSR Activity.
- 41) The Project Proponent shall comply with the mining and other relevant rules and regulations where ever applicable.
- 42) Rainwater shall be pumped out Via Settling Tank only.
- 43) Earthen bunds and barbed wire fencing around the pits with green belt all along the boundary shall be developed and maintained.
- 44) As per MoEF&CC, Gol, Office Memorandum dated 30.03.2015, prior clearance from Forestry & Wild Life angle including clearance from standing committee of the National Board for Wild life as applicable shall be obtained before starting the quarrying operation, if the project site is located within 10KM from National Park and Sanctuaries.
- 45) The quarrying activity shall be stopped if the entire quantity indicated in the Mining plan is quarried even before the expiry of the quarry lease period and the same shall be monitored by the Geology and Mining Authorities and Revenue Divisional Officer authorities having custody of leased out areas for mining.
- 46) Safety equipments to be provided to all the employees.
- 47) Safety distance of 50m has to be provided in case of railway, canal.
- 48) The proponent shall furnish the Baseline data covering the Air, Water, Noise and land environment quality for the proposed quarry site before execution of mining lease.
- 49) The proponent shall erect the pillars in accordance with the Rules for depicting GPS details in the earmarked boundary of the quarry site to monitor electronically before execution of mining.
- 50) The proponent has to provide insurance protection to the workers in the case of existing mining or provide the affidavit in case of fresh lease before execution of mining lease.

51) The Proponent
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forests, trees
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- 51) The proponent has to display the name board at the quarry site showing the details of Proponent, lease period, extent, etc., with respect to the existing activity before execution of mining.
- 52) The Proponent shall ensure that the project activity including blasting, mining transportation etc should in no way have adverse impact to other forests, such as reserve forest and social forests, tree plantation and bio diversity, surrounding water bodies etc.
- 53) The quarrying activity in no way should disturb the wildlife habitat, free migratory movement of the wildlife nor disturb the wildlife in any way.
- 54) The Notice of Opening of Mines as required by Section 16 of the mines act 1952 should be submitted in Form 1 to the Director of Mines Safety, Chennai.
- 55) Whenever there occurs in or about a mine and accident of the mines, the Notice of Accident in Mines as required by Section 23 of the mines act 1952 should be furnished to the Director of Mines Safety, Chennai in prescribed Form.
- 56) Concealing the factual data or failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.

General Conditions:

1. EC is given only on the factual records, documents and the commitment furnished in non judicial stamp paper by the proponent.
2. The Proponent shall obtain the Consent for operation from the TNPC Board before commencing the activity.
3. No change in mining technology and scope of working should be made without prior approval of the DEIAA Committee, Tiruchirappalli.
4. No change in the calendar plan including excavation, quantum of mineral (minor mineral) should be made.
5. Effective safeguard measures, such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of particulate matter such as loading and unloading point and all transfer points. Extensive water sprinkling shall be carried out on haul roads. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.
6. Effective safeguards shall be adopted against health risks on account of breeding of vectors in the water bodies created due to excavation of Minerals.

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7. A berm shall be left from the boundary of adjoining field having a width equal to at least half the depth of propose excavation.
8. Mineral handling area shall be provided with adequate number of high efficiency dust extraction system. Loading and unloading areas including all the transfer points should also have efficient dust control arrangements. These should be properly maintained and operated.
9. Vehicular emissions shall be kept under control and be regularly monitored. The mineral transportation shall be carried out through the covered trucks only and the vehicles carrying the mineral shall not be overloaded.
10. Access and haul roads to the quarrying area should be restored in a mutually agreeable manner where these are considered unnecessary after extraction has been completed.
11. All Personnel shall be provided with protective respiratory devices including safety shoes, Masks, gloves etc. Supervisory people should be provided with adequate training and information on safety and health aspects. Occupational health surveillance program of the workers should be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed.
12. Periodical medical examination of the workers engaged in the project shall be carried out and records maintained. For the purpose, schedule of health examination of the workers should be drawn and followed accordingly.
13. Workers/ labourers shall be provided with facilities for drinking water and sanitation facility for Female and Male separately.
14. The project proponent shall ensure that child labour is not employed in the project as per the sworn affidavit furnished.
15. The sides shall be sloped at an angle of safety not exceeding 45 degrees from the horizontal.
16. The Proponent shall not undercut any face or side, or cause, or permit such undercutting as to cause any overhanging.
17. The Proponent shall be kept in prescribed form and place a register of all persons employed in the mine.
18. The Proponent shall appoint a manager whose shall have the prescribed qualification as the Section 17 of Act.
19. The Mining materials shall be kept only in the mining lease area.
20. The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Ministry of Environment and Forests and its Regional Office located at Chennai.
21. The Environmental Clearance does not absolve the applicant/proponent of his obligation/requirement to obtain other statutory and administrative authorities.

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This Environmental Clearance does not imply that the other statutory / administrative clearances shall be granted to the project by the concerned authorities. Such authorities would be considering the project on merits and be taking decisions independently of the Environmental Clearance

23. The DEIAA Committee, Thanjavur may alter/modify the above conditions or stipulate any further conditions in the interest of environment protection.
24. The DEIAA, Committee, Thanjavur may cancel the environmental clearance granted to this project under the provisions of EIA Notification, 2006, at any stage of the validity of this environmental clearance, if it is found or if it comes to the knowledge of this DEIAA, TNJ- TN that the project proponent has deliberately concealed or submitted false or misleading information or inadequate data for obtaining the environmental clearance.
25. Failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of the Environment (Protection) Act, 1986.
26. The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, the Public Liability Insurance Act, 1991, along with their amendments, draft Minor Mineral Conservation & Development Rules, 2010 framed under MMDR Act 1957, National Commission for protection of Child Right Rules, 2006 and rules made there under and also any other orders passed by the Hon'ble Supreme Court of India/Hon'ble Madurai Bench of Madras High Court and any other Courts of Law relating to the subject matter.
27. Any other conditions stipulated by other Statutory/Government authorities shall be complied.
28. The Environment Clearance shall not be used as a document to obtain any other clearance unless it is specifically prescribed by the issuing authority.
29. Any appeal against this environmental clearance shall lie with the Hon'ble National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.
30. The above conditions should be strictly followed otherwise the quarry will be cancelled.

SPECIAL CONDITIONS:

1. The Above Sand Quarry Operation is only for bullock - cart load.
2. Machineries should not be allowed.
3. The EC period is only for Three years.

Sd/-A. Annadurai
CHAIRMAN,
DEIAA-THANJAVUR

[Handwritten Signature]
20/8/11
FO: CHAIRMAN, DEIAA,
THANJAVUR.

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Copy to:

1. The Secretary, Ministry of Mines, Government of India, Shastri Bhawan, New Delhi.
2. The Principal Secretary, Environment and Forests Department, Government of Tamil Nadu, Tamil Nadu.
3. The Additional Chief Secretary, Industries Department, Government of Tamil Nadu, Tamil Nadu.
4. The Additional Principal Chief Conservator of Forests, Regional Office (SZ), 34, HEPC Building, 1st & 2nd Floor, Cathedral Garden Road, Nungambakkam, Chennai - 34.
5. The Chairman, Central Pollution Control Board, Pariyesh Bhawan, CBD-Cum-Office Complex, East Arjun Nagar, New Delhi-110 032.
6. The Chairman, Tamil Nadu Pollution Control Board, 76, Mount Salai, Guindy, Chennai-32
7. The Director of Geology and Mining, Guindy, Chennai-32
8. EI Division, Ministry of Environment & Forests, Paryavaran Bhawan, New Delhi.
9. Spare.

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VEER SURENDRA SAI UNIVERSITY OF TECHNOLOGY, ODISHA
 P.O., Engineering College Burla (Siddhi Vihar), Dist. Sambalpur, Odisha-768018, India
 Website: www.vssut.ac.in, E-mail: vssut@vssut.ac.in, Ph: 109632419573, Fax: 2428527
 No. VSSUT/ CIVIL / Equip/ 2771 Date: 21.08.2018

TENDER CALL NOTICE

Sealed Tenders are invited from the intending reputed Original Equipment Manufacturers/Direct Importers/Registered Dealers for supply of Equipment for different laboratories of Civil Engineering Department of VSSUT, Burla under AICTE MODROB Projects. Detailed information and the tender document are available in the University website www.vssut.ac.in

Sd/- REGISTRAR

Tamil Nadu Tourism Development Corporation Limited
 Tamil Nadu Tourism Complex, Wellichah Road, Chennai - 600 002
INVITATION FOR BIDS (NATIONAL COMPETITIVE BIDDING) TWO COVER SYSTEM
 Reference: 2598/Engg/2018 dated 23.08.2018
 Notice Inviting Bidders: 2598/Engg/2018 dated 23.08.2018

For and on behalf of Tamil Nadu Tourism Development Corporation Limited, we invite sealed tenders under Two bid system namely "Technical bid" and "Price bid" are invited from the registered Electrical Contractors with Public Works Department, Central Public Works Department or any other State / Central Government (University / Manufacturer / Authorised Dealers and minimum 5 years experience in the respective field of T&E and Scaffolding/Construction having 5 years experience in the field of steel and light steel for the following work and the bidders should meet the following requirements:

Description: Supply, erection, installation and commissioning of wireless network connectivity with civil works and bandwidth charges with all accessories at Besant Nagar Beach, Moonshapuram Beach and Karayyalkudi Beach under Swadesh Darshan Scheme in Tamilnadu, including 3 years operation & maintenance.

Tender Opening Authority: The Chairman & Managing Director, TTDCL, Tamil Nadu Tourism Complex, Chennai - 600 002.

Last date for submission of bids: 25.08.2018 17:00 Hrs
 17.08.2018 11:00 Hrs

For Detailed tender document and qualifying requirement & Clarification etc. please visit our website www.tamilnadutourism.org and www.tenders.tn.gov.in. Further any Clarification/Corrigendum/Amendment or Extension shall be notified on the above websites only. Bidders should regularly visit websites to keep themselves updated.
 Telephone: 044-253325054
 Chennai - 600 002. O.P.No: 3245/TENDER/2018
 Tamil Nadu Tourism Development Corporation Limited

GOVERNMENT OF TAMILNADU PUBLIC WORKS DEPARTMENT WATER RESOURCES DEPARTMENT
 Mining and Monitoring Division, Thanjavur

NOTIFICATION

Government Advertisement No 4 / JDO-2F.101 Sand / 2018 dated : 23.8.2018

This is to inform that Environmental Clearance has been accorded to Mining and Monitoring Division, Thanjavur for Quarrying of sand in the below mentioned quarries in Agniyar river by the District Level Environment Impact Assessment Authority, N. District Letter No. 343 / DEIAA-4 (DIA/TN/MIN/14338/2018) dated 17.04.2018 & Letter No.343/DEIAA-4 (DIA/TN/MIN/14339/2018) dated 17.04.2018.

Sr. No.	Taluk	Village	River	Survey No.	Area in Ha	Quantity in m ³
1	Pattukottai	Chinnarudayar kavil	Agniayar	89	3.00	54000

The Copies of the Environmental Clearance letter are available with the Tamilnadu Pollution Control Board. It may also be seen at website address of the DEIAA-TN Website address: www.environmentclearance.tn/delaa.aspx

Executive Engineer, PWD/WRD., Mining and Monitoring Division, Thanjavur
 PRD107/Tender/2018

ICICI Bank
 ICICI Bank Limited

Registered Office: ICICI Bank Tower, Near Choksi Circle, Old Park Road, Vadodara-390007 Gujarat
 Corporate Office: ICICI Bank Towers, Bandra Kurla Complex, Bandra (E), Mumbai - 400051
 Branch Office: ICICI Bank Ltd 4/10, Mythree Tower, Bommanhalli, Hoopur Main Road Bangalore 560058

The undersigned being the Authorized Officer of ICICI Bank Limited under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and in exercise of the powers conferred under section 13 (12) read with Rule 3 of the Security Interest (Enforcement) rules 2002, issued demand notices upon the borrowers mentioned below, to repay the amount mentioned in the notice within 60 days from the date of receipt of the said notice.

The borrower having failed to repay the amount, notice is hereby given to the borrower and the public in general that the undersigned has taken symbolic possession of the property described herein below in exercise of powers conferred on him/her under Section 13(4) of the said Act read with Rule 8 of the said rules on the below-mentioned dates. The borrower in particular and the public in general is hereby cautioned not to deal with the property and any dealings with the property will be subject to the charge of ICICI Bank Limited.

Sr. No.	Name of the Borrower / Co-Borrower / Guarantor / Loan Account Number	Description of Property/ Date of Symbolic Possession	Date of Demand Notice / Amount in Demand Notice (Rs.)	Name of Branch
1.	NANDAGOPAL RUVANISHREE N NEW NO. 40A KUMARAKOVIL	ANNEXURE 'A' (PARTICULARS OF SECURED PROPERTY) Property Schedule A8 the deed and parcel of Land measuring to the extent of 5648 Sq. Ft with measurement of East West 138.6 Ft and South North	27.04.2018 Rs 22784443-	Techy

ARANI MUNICIPALITY
 Open Tender Notice Date : 21.08.2018
 Reg. No. 999 / 2016 / E1
 The Commissioned, Arani Municipality water tender in two cover system for the following work as stipulated in the website <https://tenders.tn.gov.in>

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TAMILNADU POLLUTION CONTROL BOARD

CONSENT ORDER NO. 1805117286272 DATED: 15/11/2018.

PROCEEDINGS NO.F.0561TNJ/OS/DEE/TNPCB/TNJ/W/2018 DATED: 15/11/2018

SUB: Tamil Nadu Pollution Control Board -CONSENT TO OPERATE - DIRECT -M/s. CHINNA AVUDAIYARKOVIL SAND QUARRY , S.F.No. 8&9, CHINNA AVUDAIYAR KOIL village Pattukottai Taluk and Thanjavur District - Consent for the operation of the plant and discharge of sewage and/or trade effluent under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 as amended in 1988 (Central Act 6 of 1974) - Issued- Reg.

Ref: 1.Units application for Consent To Operate dated :09.10.2018.
2.IR.No : F.0561TNJ/OS/AEE/TNJ/2018 dated 14/11/2018.
4.Minutes of 111st DLCCC Meeting dated 14/11/2018.

CONSENT TO OPERATE is hereby granted under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 as amended in 1988 (Central Act, 6 of 1974) (hereinafter referred to as "The Act") and the rules and orders made there under to

Executive Engineer,
M/s. CHINNA AVUDAIYARKOVIL SAND QUARRY
S.F.No.8&9,
CHINNA AVUDAIYAR KOIL Village,
Pattukottai Taluk,
Thanjavur District.

Authorising the occupier to make discharge of sewage and /or trade effluent.

This is subject to the provisions of the Act, the rules and the orders made there under and the terms and conditions incorporated under the Special and General conditions stipulated in the Consent Order issued earlier and subject to the special conditions annexed.

This CONSENT is valid for the period ending March 31, 2022

R. S. Srinivasan
District Environmental Engineer,
Tamil Nadu Pollution Control Board,
THANJAVUR
19/11/18

To
Executive Engineer,
M/s.CHINNA AVUDAIYARKOVIL SAND QUARRY,
S.F.NO.8&9, Chinna Avudaiyarkovil village, Pattukkottai Taluk, Thanjavur District,
Pin: 604701

- Copy to:
- 1.The Commissioner, PATTUKOTTAI-Panchayat Union, Pattukottai Taluk, Thanjavur District .
 2. Copy submitted to the Member Secretary, Tamil Nadu Pollution Control Board, Chennai for favour of kind information.
 3. Copy submitted to the JCEE-Monitoring, Tamil Nadu Pollution Control Board, Trichirappalli for favour of kind information.
 4. File

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TAMILNADU POLLUTION CONTROL BOARD SPECIAL CONDITIONS

- This consent to operate is valid for operating the facility for the manufacture of products (Col. 2) at the rate (Col. 3) mentioned below. Any change in the products and its quantity has to be brought to the notice of the Board and fresh consent has to be obtained.

Sl. No.	Description	Quantity	Unit
Product Details			
1.	Quarrying of river sand at S F NO 8&9 over an extent of 3.0 hectare between latitude 10°20'23.45"N to 10°20'33"N and longitude 79°20' 00" E to 79 ° 20' 05" E for three years	54000	Cubic meter/3years

- This consent to operate is valid for operating the facility with the below mentioned permitted outlets for the discharge of sewage/trade effluent. Any change in the outlets and the quantity has to be brought to the notice of the Board and fresh consent has to be obtained.

Outlet No.	Description of Outlet	Maximum daily discharge in KLD	Point of disposal
Effluent Type : Sewage			
1.	SEWAGE	0.24	On Industrys own land
Effluent Type : Trade Effluent			

- The effluent discharge shall not contain constituents in excess of the tolerance Limits as laid down hereunder.

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TAMILNADU POLLUTION CONTROL BOARD

Sl. No.	Parameters	Unit	TOLERANCE LIMITS - OUTLETS -Nos				
			Sewage		Trade Effluent		
			01				
1.	pH		5.5 to 9				
2.	Temperature	oC	-				
3.	Particle size of Suspended solids	-	-				
4.	Total Suspended Solids	mg/l	30				
5.	Total Dissolved solids (inorganic)	mg/l	-				
6.	Oil & Grease	mg/l	-				
7.	Biochemical Oxygen Demand (3 days at 27oC)	mg/l	20				
8.	Chemical Oxygen Demand	mg/l	-				
9.	Chloride (as Cl)	mg/l	-				
10.	Sulphates (as SO ₄)	mg/l	-				
11.	Total Residual Chlorine	mg/l	-				
12.	Ammonical Nitrogen (as N)	mg/l	-				
13.	Total Kjeldahl Nitrogen (as N)	mg/l	-				
14.	Free Ammonia (as NH ₃)	mg/l	-				
15.	Arsenic (as As)	mg/l	-				
16.	Mercury (as Hg)	mg/l	-				
17.	Lead (as Pb)	mg/l	-				
18.	Cadmium (as Cd)	mg/l	-				
19.	Hexavalent Chromium (as Cr+6)	mg/l	-				
20.	Total Chromium (as Cr)	mg/l	-				
21.	Copper (as Cu)	mg/l	-				
22.	Zinc (as Zn)	mg/l	-				
23.	Selenium (as Se)	mg/l	-				
24.	Nickel (as Ni)	mg/l	-				
25.	Boron (as B)	mg/l	-				
26.	Percent Sodium	%	-				
27.	Residual Sodium Carbonate	mg/l	-				
28.	Cyanide (as CN)	mg/l	-				
29.	Fluoride (as F)	mg/l	-				
30.	Dissolved Phosphates (as P)	mg/l	-				
31.	Sulphide (as S)	mg/l	-				
32.	Pesticides	mg/l	-				
33.	Phenolic Compounds (as C ₆ H ₅ OH)	mg/l	-				
34.	Radioactive materials a) Alpha emitters	micro curie/ml	-				
35.	Radioactive materials b) Beta emitters	micro curie/ml	-				
36.	Fecal Colliform	MPN/100ml	-				

4. All units of the sewage and Trade effluent treatment plants shall be operated efficiently and continuously so as to achieve the standards prescribed in Sl No.3 above or to achieve the zero liquid discharge of effluent as applicable.

POLLUTION PREVENTION PAYS

அகம் தூய்மை வாய்மைக்கு ! ஈறம் தூய்மை வாய்மைக்கு !

The occupier of the works



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TAMILNADU POLLUTION CONTROL BOARD

The occupier shall maintain the Electro Magnetic Flow Meters/water Meters installed at the inlet of the water supply connection for each of the purposes mentioned below for assessing the quantity of water used and ensuring that such meters are easily accessible for inspection and maintenance and for other purposes of the Act.

- a. Industrial-Cooling, Spraying in mine pits or boiler feed.
- b. Domestic purpose.
- c. Process.

6. The occupier shall maintain the Electro Magnetic Flow Meters with computer recording arrangement for measuring the quantity of effluent generated and treated for the monitoring purposes of the Act.
 7. Log book for each of the unit operations of ETP have to be maintained to reflect the working condition of ETP along with the readings of the Electro Magnetic Flow Meters installed to assess effluent quantity and the same shall be furnished for verification of the Board officials during inspection.
 8. The occupier shall at his own cost get the samples of effluent/surface water/ground water collected in and around the unit by Board officials and analyzed by the TNPC Board Laboratory periodically.
 9. Any upset condition in any of the plants of the factory which is, likely to result in increased effluent discharge and result in violation of the standards mentioned in Sl. No.3 above shall be reported to the Member Secretary / Joint Chief Environmental Engineer-Monitoring and the concerned District/Assistant Environmental Engineer of the Board by e-mail immediately and subsequently by Post with full details of such upset condition.
 10. The occupier shall always comply and carryout the order/directions issued by the Board in this Consent Order and from time to time without any negligence. The occupier shall be liable for action as per provisions of the Act in case of non compliance of any order/directions issued.
 11. The occupier shall develop adequate width of green belt at the rate of 400 numbers of trees per Hectare.
 12. The occupier shall provide and maintain rain water harvesting facilities.
 13. The occupier shall ensure that there shall not be any discharge of effluent either treated or untreated into storm water drain at any point of time.
 14. In the case of zero liquid discharge of effluent units, the occupier shall adhere the following conditions as laid under.
 - i). The occupier shall ensure zero liquid discharge of effluent, thereby no discharge of untreated / treated effluent on land or into any water bodies either inside or outside the premises at any point of time.
 - ii) The occupier shall operate and maintain the Zero liquid discharge treatment components comprising of Primary, Secondary and tertiary treatment systems at all times and ensure that the RO permeate/Evaporator condensate shall be recycled in the process and the final RO reject shall be disposed off with the reject management system ensuring zero liquid discharge of effluents in the premises.
 - iii) The occupier shall operate and maintain the reject management system effectively and recover the salt from the system which shall be reused in the process if reusable or shall be disposed off as ETP sludge.
 - iv) In case of failure to achieve zero discharge of effluents for any reason, the occupier shall stop its production and operations forthwith and shall be reported to the Member Secretary/Joint Chief Environmental Engineer-Monitoring and the concerned District/Assistant Environmental Engineer of the Board by e-mail immediately and subsequently by Post with full details of such upset condition.
 - v) The occupier shall restart the production only after ascertaining that the Zero discharge treatment system can perform effectively for achieving zero discharge of effluents.
- Additional Conditions:**

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TAMILNADU POLLUTION CONTROL BOARD

1. Quarrying area of 03.00 Hectares in 8&9 of Chinna Avudalyar kott Village, Pattukkottai Taluk, Thanjavur District, between the co ordinates of latitudes $10^{\circ}20'23''N$, $10^{\circ}20'33''N$, and longitude $79^{\circ}20'00''E$ to $79^{\circ}20'05''E$, has to be demarcated on the ground with pucca stone or concrete pillars to show the natural bed level and the depth of mining allowed. Boundary pillars at the interval of 50 m each on all four sides of the quarry site with red flags on every pillar and also site pillars marking the level and depth up to one meter downwards shall be erected before the issue of Consent to Operate by TNPCB.
2. The Katcha roads between the bank of the river and the mining area shall be formed with locally available bio degradable materials such as sugar cane leaves etc.,
3. The unit shall provide septic tank and soak pit as proposed before the commencement of quarrying.
4. No change in mining technology and scope of working should be made without prior approval of the competent authority.
5. No drilling and blasting operation shall be carried out under any circumstance.
6. The unit shall carryout the proposed quarrying activities only when no complaints received from the public.
7. The unit shall comply all the conditions stipulated in Environmental clearance issued by the DEIAA vide Lr.No. DEIAA-tnj-1/F.NO.75/1(a0/EC.NO.7/2017 dated 06.08.2018.
8. The unit shall not use "use and throwaway plastics" such as plastic sheets used for food wrapping, spreading on dining table etc., plastic plates, plastic coated tea cups, plastic tumbler, water pouches and packets, plastic straw, plastic carry bag and plastic flags irrespective of thickness, within the industry premises. Instead the unit shall encourage use of eco friendly alternative such as banana leaf, arecanut palm plate, stainless steel, glass, porcelain plate/cups, cloth bag, jute bag etc.,

R. J. 20/11/18

District Environmental Engineer,
Tamil Nadu Pollution Control Board,
THANJAVUR

சுமதி

POLLUTION PREVENTION PAYS

அகம் தூய்மை வாய்மைக்கு ! ஏறம் தூய்மை வாழ்வுக்கு !



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TAMILNADU POLLUTION CONTROL BOARD GENERAL CONDITIONS

1. The occupier shall make an application along with the prescribed consent fee for grant of renewal of consent at least 60 days before the date of expiry of this Consent Order along with all the required particulars ensuring that there is no change in Production quantity and change in sewage/Trade effluent.
2. This Consent is issued by the Board in consideration of the particulars given in the application. Any change or alteration or deviation made in actual practice from the particulars furnished in the application will also be ground for review/variation/revocation of the Consent Order under Section 27 of the Act and to make such variation as deemed fit for the purpose of the Act.
3. The consent conditions imposed in this order shall continue in force until revoked under Section 27(2) of the Act.
4. After the issue of this order, all the 'Consent to Operate' orders issued previously under Water (Prevention and Control of Pollution) Act, 1974 as amended stands defunct.
5. The occupier shall maintain an Inspection Register in the factory so that the inspecting officer shall record the details of the observations and instructions issued to the unit at the time of inspection for adherence.
6. The occupier shall provide and maintain an alternate power supply along with separate energy meter for the Effluent Treatment Plant sufficient to ensure continuous operation of all pollution control equipments to maintain compliance.
7. The occupier shall provide all facilities to the Board officials for inspection and collection of samples in and around the factory at any time.
8. The occupier shall display the flow diagram of the sources of effluent generation and pollution control systems provided at the ETP site.
9. The solid waste such as sweepings, wastage, package, empty containers, residues, sludge including that from air pollution control equipments collected within the premises of the industrial plant shall be collected in an earmarked area and shall be disposed off properly.
10. The occupier shall collect, treat the solid wastes like food waste, green waste generated from the canteen and convert into organic compost.
11. The occupier shall segregate the Hazardous waste from other solid wastes and comply in accordance with Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2006.
12. The occupier shall maintain good house-keeping within the factory premises.
13. All pipes, valves, sewers and drains shall be leak proof. Floor washings shall be admitted into the trade effluent collection system only and shall not be allowed to find their way in storm drains or open areas.
14. The occupier shall ensure that there shall not be any diversion or by-pass of trade effluent on land or into any water sources.
15. The occupier shall ensure that solar Evaporation pans shall be constructed in such a way that the bottom of the solar pan is at least 1 m above the Ground level (if applicable).
16. The occupier shall furnish the following returns in the prescribed formats to the concerned District office regularly.
 - a) Monthly water consumption returns of each of the purposes with water meter readings in Form-1 on or before 5th of every month.
 - b) Yearly return on Hazardous wastes generated and accumulated for the period from 1st April to 31st March in Form-4 before the end of the subsequent 30th June of every year (if applicable).
 - c) Yearly Environmental Statement for the period from 1st April to 31st March in Form -V before the end of the subsequent 30th September of every year (if applicable).
17. If applicable, the occupier has to comply with the provisions of Public Liability Insurance Act, 1991 to provide immediate relief in the event of any hazard to human beings, other living creatures/plants and properties while handling and storage of hazardous substances.
18. The issuance of this consent does not authorize or approve the construction of any physical structures or facilities or the undertaking of any work in any natural watercourse or in Government Poramboke lands.
19. The issuance of this Consent does not convey any property right in either real personal property or any exclusive privileges, nor does it authorize any injury to private property or Government property or any invasion of personal rights nor any infringement of Central, State laws or regulation.

POLLUTION PREVENTION PAYS

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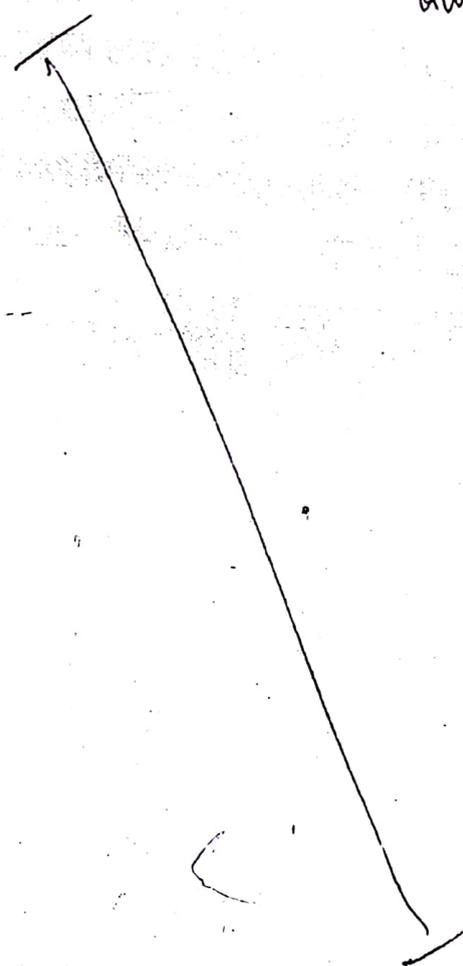
TAMILNADU POLLUTION CONTROL BOARD

20. The occupier shall forth with keep the Board informed of any accident of unforeseen act or event of any poisonous, noxious or polluting matter or emissions are being discharged into stream or well or air as a result of such discharge, water or air is being polluted.
21. If due to any technological improvements or otherwise the Board is of opinion that all or any of the conditions referred to above requires variation (including the change of any treatment system, either in whole or in part) the Board shall, after giving the applicant an opportunity of being heard, vary all or any of such conditions and thereupon the applicant shall be bound to comply with the conditions as so varied.
22. In case there is any change in the constitution of the management, the occupier of the new management shall file fresh application under Water (Prevention and Control of Pollution) Act, 1974, as amended in Form-II alongwith relevant documents of change of management immediately and get the necessary amendment with renewal of consent order.
23. In case there is any change in the name of the company alone, the occupier shall inform the same with relevant documents immediately and get the necessary amendments for the change of name from the Board.
24. The occupier shall display this consent order granted to him in a prominent place for perusal of the inspecting Officers of this Board.

R. J. J. 20/11/18

District Environmental Engineer,
Tamil Nadu Pollution Control Board,
THANJAVUR

RAMU



CONSENT

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TAMILNADU POLLUTION CONTROL BOARD

CONSENT ORDER NO. 1805217286272

DATED: 15/11/2018.

PROCEEDINGS NO.F.0561TNJ/OS/DEE/TNPCB/TNJ/A/2018 DATED: 15/11/2018

SUB: Tamil Nadu Pollution Control Board -CONSENT TO OPERATE -DIRECT -M/s. CHINNA AVUDAIYARKOVIL SAND QUARRY, S.F.No. 8&9, CHINNA AVUDAIYAR KOIL village Pattukottai Taluk and Thanjavur District - Consent for operation of the plant and discharge of emissions under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 as amended in 1987 (Central Act 14 of 1981) -Issued- Reg.

Ref: 1.Units application for Consent To Operate dated :09.10.2018.
2.IR.No : F.0561TNJ/OS/AEE/TNJ/2018 dated 14/11/2018.
4.Minutes of 111st DLCCC Meeting dated 14/11/2018.

CONSENT TO OPERATE is hereby granted under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 as amended in 1987 (Central Act 14 of 1981) (hereinafter referred to as "The Act") and the rules and orders made there under to

Executive Engineer,
M/s . CHINNA AVUDAIYARKOVIL SAND QUARRY
S.F.No.8&9,
CHINNA AVUDAIYAR KOIL Village,
Pattukottai Taluk,
Thanjavur District.

Authorizing the occupier to operate the industrial plant in the Air Pollution Control Area as notified by the Government and to make discharge of emission from the stacks/chimneys.

This is subject to the provisions of the Act, the rules and the orders made there under and the terms and conditions incorporated under the Special and General conditions stipulated in the Consent Order issued earlier and subject to the special conditions annexed.

This CONSENT is valid for the period ending March 31, 2022

R. Jeyaraj
District Environmental Engineer,
Tamil Nadu Pollution Control Board,
THANJAVUR

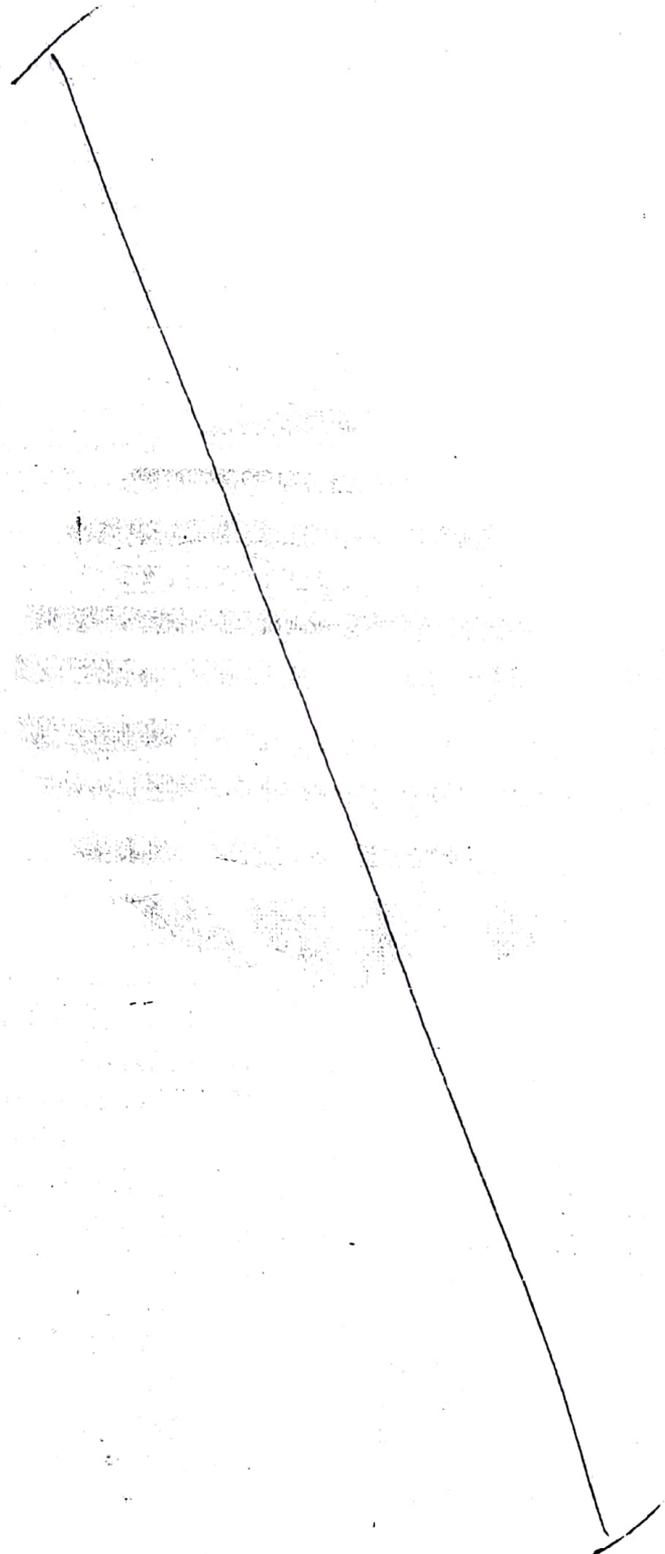
To
Executive Engineer,
M/s.CHINNA AVUDAIYARKOVIL SAND QUARRY,
S.F.NO.8&9, Chinna Avudaiyarkovil village, Pattukkottai Taluk, Thanjavur District,
Pin: 604701

- Copy to:
- 1.The Commissioner, PATTUKOTTAI-Panchayat Union, Pattukottai Taluk, Thanjavur District .
 2. Copy submitted to the Member Secretary, Tamil Nadu Pollution Control Board, Chennai for favour of kind information.
 3. Copy submitted to the JCEE-Monitoring, Tamil Nadu Pollution Control Board, Triuchirappalli for favour of kind information.
 4. File

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TAMILNADU POLLUTION CONTROL BOARD



POLLUTION PREVENTION PAYS

அகம் தூய்மை வாய்மைக்கு உபறம் தூய்மை வாழ்வுக்கு !



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TAMILNADU POLLUTION CONTROL BOARD
SPECIAL CONDITIONS

1. This consent to operate is valid for operating the facility for the manufacture of products (Col. 2) at the rate (Col. 3) mentioned below. Any change in the products and its quantity has to be brought to the notice of the Board and fresh consent has to be obtained.

Sl. No.	Description	Quantity	Unit
Product Details			
1.	Quarrying of river sand at S F NO 8&9 over an extent of 3.0 hectare between latitude 10°20'23.45"N to 10°20'33"N and longitude 79°20' 00" E to 79 ° 20' 05" E for three years	54000	Cubic meter/3years

2. This consent to operate is valid for operating the facility with the below mentioned emission/noise sources along with the control measures and/or stack. Any change in the emission source/control measures/change in stack height has to be brought to the notice of the Board and fresh consent/Amendment has to be obtained.

I Point source emission with stack :				
Stack No.	Point Emission Source	Air pollution Control measures	Stack height from Ground Level in m	Gaseous Discharge in Nm3/hr
II Fugitive/Noise emission :				
Sl. No.	Fugitive or Noise Emission sources	Type of emission	Control measures	
1.	Due to movement of vehicles	Fugitive	Water sprinkler system	

3(a). The emission shall not contain constituents in excess of the tolerance limits as laid down hereunder :

Sl.	Parameter	Unit	Tolerance limits	Stacks

Annexure enclosed if applicable.

3(b) The Ambient Air in the industrial plant area shall not contain constituents in excess of the tolerance limits prescribed below.

Sl. No.	Pollutant	Time Weighted Average	Unit	Tolerance Limits	
				Industrial, Residential, Rural and other area	Ecologically Sensitive Area (notified by Central Govt.)
1.	Sulphur Dioxide (SO2)	Annual 24 hours	microgram/m3	50	20
				80	80
2.	Nitrogen Dioxide (NO2)	Annual 24 hours	microgram/m3	40	30
				80	80
3.	Particulate Matter (Size Less than 10 micro M) or PM10	Annual 24 hours	microgram/m3	60	60
				100	100
4.	Particulate Matter (Size Less than 2.5 micro M) or PM2.5	Annual 24 hours	microgram/m3	40	40
				60	60
5.	Ozone (O3)	Annual 24 hours	8 Hours 1 Hour	100	100
				180	180

POLLUTION PREVENTION PAYS

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TAMILNADU POLLUTION CONTROL BOARD

Sl. No.	Pollutant	Time Weighted Average	Unit	Tolerance Limits	
				Industrial, Residential, Rural and other area	Ecologically Sensitive Area (notified by Central Govt.)
6.	Lead (Pb)	Annual 24 hours	microgram/m ³ microgram/m ³	0.5 1.0	0.5 1.0
7.	Carbon Monoxide (CO)	8 Hours 1 Hour	miligram/m ³ miligram/m ³	02 04	02 04
8.	Ammonia (NH ₃)	Annual 24 hours	microgram/m ³ microgram/m ³	100 400	100 400
9.	Benzene (C ₆ H ₆)	Annual	microgram/m ³	5	5
10.	Benzo(O) Pyrene (BaP) -particulate phase only	Annual	nanogram/m ³	01	01
11.	Arsenic (As)	Annual	nanogram/m ³	06	06
12.	Nickel (Ni)	Annual	nanogram/m ³	20	20

3(c) The Ambient Noise Level in the industrial plant area shall not exceed the limits prescribed below:

Limits in L.eq.-dB(A)	Day Time	Night Time
Residential Area	55	45

- All units of the Air pollution control measures shall be operated efficiently and continuously so as to achieve the standards prescribed in Sl. No.3 above.
- The occupier shall not change or alter quality or quantity or the rate of emission or replace or alter the air pollution control equipment or change the raw material or manufacturing process resulting in change in quality and/or quantity of emissions without the previous written permission of the Board.
- The occupier shall maintain log book regarding the stack monitoring system or operation of the plant or any other particulars for each of the unit operations of air pollution control systems to reflect the working condition which shall be furnished for verification of the Board officials during inspection.
- The occupier shall at his own cost get the samples of emission/air/noise levels collected and analyzed by the TNPC Board Laboratory once in every 6 months/once in a year/periodically for the parameters as prescribed.
- Any upset condition in any of the plants of the factory which is likely to result in increased emissions and result in violation of the standards mentioned in Sl.No.3 shall be reported to the Member Secretary / Joint Chief Environmental Engineer-Monitoring and the concerned District/Assistant Environmental Engineer of the Board by e-mail immediately and subsequently by Post with full details of such upset condition.
- The occupier shall always comply and carryout the order/directions issued by the Board in this Consent Order and from time to time without any negligence. The occupier shall be liable for action as per provisions of the Act in case of non compliance of any order/directions issued.

Additional Conditions:

POLLUTION PREVENTION PAYS

அகலம் தூய்மை வாய்மைக்கு ! புறம் தூய்மை வாழ்வுக்கு !



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TAMILNADU POLLUTION CONTROL BOARD

1. Quarrying area of 03.00 Hectares in 8&9 of Chinna Avudaiyar koil Village, Pattukkottai Tk, Thanjavur District, between the co ordinates of latitudes $10^{\circ}20'23''N$, $10^{\circ}20'33''N$, and longitude $79^{\circ}20'00''E$ to $79^{\circ}20'05''E$, has to be demarcated on the ground with pucca stone or concrete pillars to show the natural bed level and the depth of mining allowed. Boundary pillars at the interval of 50 m each on all four sides of the quarry site with red flags on every pillar and also site pillars marking the level and depth up to one meter downwards shall be erected before the issue of Consent to operate by TNPCB.
2. The Katcha roads between the bank of the river and the mining area shall be formed with locally available bio degradable materials such as sugar cane leaves etc.,
3. The unit shall provide necessary Air Pollution control Measures such as Water Sprinkling arrangement at haul roads loading and unloading and at all transfer point before the Commencement of operation.
4. No change in mining technology and scope of working should be made without prior approval of the competent authority.
5. No drilling and blasting operation shall be carried out under any circumstance.
6. The unit shall carryout the proposed quarrying activities only when no complaints received from the public.
7. The unit shall comply all the conditions stipulated in Environmental clearance Issued by the DEIAA vide Lr .No. DEIAA- tnj-1/F.NO.75/1(a0/EC.NO.7/2017 dated 06.08.2018 .

R. Jeyaraj
District Environmental Engineer,
Tamil Nadu Pollution Control Board,
THANJAVUR

A. G. S. S. S.

POLLUTION PREVENTION PAYS

(73)

14th



TAMILNADU POLLUTION CONTROL BOARD GENERAL CONDITIONS

19.

1. The occupier shall make an application along with the prescribed consent fee for grant of renewal of consent at least 60 days before the date of expiry of this Consent Order along with all the required particulars ensuring that there is no change in production quantity and emission.
2. This Consent is given by the Board in consideration of the particulars given in the application. Any change or alteration or deviation made in actual practice from the particulars furnished, in the application will also be ground for review/variation/revocation of the Consent Order under Section 21 of the Act.
3. The conditions imposed shall continue in force until revoked under Section 21 of the Act.
4. After the issue of this order, all the 'Consent to Operate' orders issued previously under Air (Prevention and Control of Pollution) Act, 1981 as amended stands defunct.
5. The occupier shall maintain an Inspection Register in the factory so that the inspecting officer shall record the details of the observations and instructions issued to the unit at the time of inspection for adherence.
6. The occupier shall provide and maintain an alternate power supply along with separate energy meter for the Air Pollution Control measures sufficient to ensure continuous operation of all pollution control equipments to ensure compliance.
7. The occupier shall provide all facilities to the Board officials for collection of samples in and around the factory at any time.
8. The applicant shall display the flow diagram of the sources of emission and pollution control systems provided at the site.
9. The liquid effluent arising out of the operation of the air pollution control equipment shall also be treated in a manner and to the satisfaction of standards prescribed by the Board in accordance with the provisions of Water (Prevention and Control of Pollution) Act, 1974 as amended.
10. The air pollution control equipments, location of inspection chambers and sampling port holes shall be made easily accessible at all time.
11. In case of any episodal discharge of emission, the industry shall take immediate action to bring down the emission within the limits prescribed by the Board.
12. If applicable, the occupier has to comply with the provisions of Public Liability Insurance Act, 1991 to provide immediate relief in the event of any hazard to human beings, other living creatures/plants and properties while handling and storage of hazardous substances.
13. The issuance of this consent does not authorize or approve the construction of any physical structures or facilities or the undertaking of any work in any natural watercourse or in Government Poramboke lands.
14. The issuance of this Consent does not convey any property right in either real personal property or any exclusive privileges, nor does it authorize any injury to private property or Government property or any invasion of personal rights nor any infringement of Central, State laws or regulation.
15. The occupier shall forth with keep the Board informed of any accident of unforeseen act or event of any poisonous, noxious or polluting matter or emissions are being discharged into stream or well or air as a result of such discharge, water or air is being polluted.
16. If due to any technological improvements or otherwise the Board is of opinion that all or any of the conditions referred to above requires variation (including the change of any treatment system, either in whole or in part) the Board shall, after giving the applicant an opportunity of being heard, vary all or any of such conditions and thereupon the applicant shall be bound to comply with the conditions as so varied.
17. In case there is any change in the constitution of the management, the occupier of the new management shall file fresh application under Air (Prevention and Control of Pollution) Act, 1981, as amended in Form-I alongwith relevant documents of change of management immediately and get the necessary amendment with renewal of consent order.
18. In case there is any change in the name of the company alone, the occupier shall inform the same with relevant documents immediately and get the necessary amendments for the change of name from the Board.

POLLUTION PREVENTION PAYS

அகும் தூய்மை வாய்மைக்கு ! சுற்றும் தூய்மை வளர்வுக்கு !

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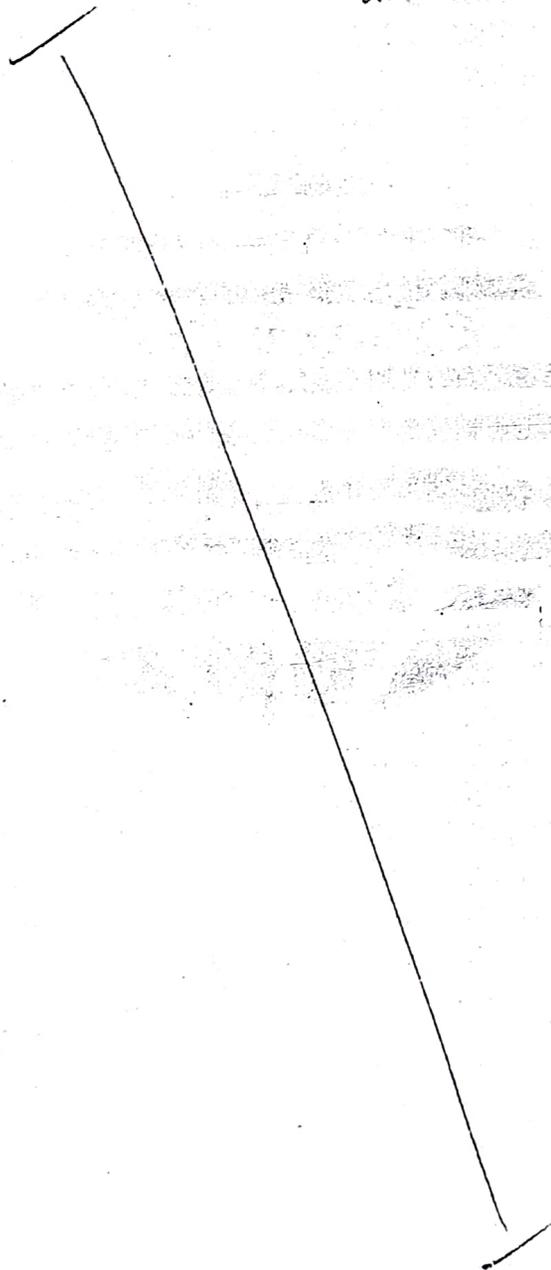
TAMILNADU POLLUTION CONTROL BOARD

The occupier shall display this consent order granted to him in a prominent place for perusal of the inspecting Officers of this Board.

R. J. Jayaram 20/1/18

District Environmental Engineer,
Tamil Nadu Pollution Control Board,
THANJAVUR

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POLLUTION PREVENTION PAYS

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TAMILNADU POLLUTION CONTROL BOARD

EDINGS
PRESE
e.No-280

POLLUTION PREVENTION PAYS
அகம் தூய்மை வாய்மைக்கு ! புறம் தூய்மை வாழ்வுக்கு !

(148) (76)

ORDERS OF THE DISTRICT COLLECTOR, THANJAVUR

PRESENT: THIRU.M.GOVINDA RAO, I.A.S.,

No.280/Mines/2018

Dated:10.02.2020

Sub: Mines and Quarries – Minor Minerals – Sand quarries –
Thanjavur District – Pattukottai Taluk –
Chinaavudaiyar Kovil Village – S.F.Nos. 8 & 9 – over an
extent of 3.00.0 hect – Proposal for commencing new
Bullock Cart Sand quarry by Public Works Department
in Agniyar river bed – precise area communicated –
Draft mining plan approved – Clearance obtained from
DEIAA –EC for 3 years – Total quantity of 54000 M³ –
Consent given by TNPCB – Grant of lease for Three
years – Orders Issued.

- Ref:**
1. G.O.Ms.No.110/Public Works (I,Spl.2) Dept.,
Dated: 06.07.2006.
 2. G.O.Ms.No.135, Industries (MMA1) Dept.,
Dated:13.11.2009.
 3. Hon'ble Supreme Court of India in I.A.Nos 12-
13/2011 in SLP No.19628-19629 / 2009 etc.,
dated.27.02.2012.
 4. Government of India, Ministry of Environment and
Forest O.M.dt.18.05.2012.
 5. The Chairman, State Level Environment Impact
Assessment Authority, Tamilnadu
D.O.Lr.No.SEIAA-TN/Minor Minerals/2012
dt.17.09.2012.
 6. The Commissioner of Geology and Mining, Chennai
letter Rc.No.3868/LC/2012 dt.19.11.2012.
 7. G.O.(MS) No.79 Industries (MMC.1) Department
dt.06.04.2015.
 8. G.O(D) No.110 Industries (MMC.2) Department
dt.17.06.2015.
 9. Letter No.F1/Do/Estimate/dated.14.06.2018 from
the Executive Engineer, PWD, WRD, Mining and
Monitoring Division, Thanjavur.
 10. Joint Inspection Report dated.23.06.2018.
 11. Precise area communication letter in
Rc.No.280/Mines/2018, dated.29.06.2018.

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12. Mining plan submitted by the Executive Engineer, PWD, WRD, Mining and Monitoring Division, Thanjavur. dt.10.07.2018.
13. Approval of Mining plan by Assistant Director, Geology and Mining, Thanjavur, Lr.No.280/Mines/2018(G&M). dt.12.07.2018.
14. The Member Secretary, District level Environment Impact Assessment Authority, Thanjavur Lr.No.DEIAA-Tnj-1 F.No.75/1(a) EC.No.7/2017 dated 06.08.2018.
15. Tamil Nadu Pollution Control Board, Thanjavur Proceedings Nos. F.0561TNJ/OS / DEE/TNPCB/TNJ/A/2018 Dt: 15.11.2018 & F.0561TNJ/OS/DEE/TNPCB/TNJ/W/2018 Dt: 15.11.2018

Order:

The Executive Engineer, Water Resources Department (Public Works Department), Mining and Monitoring Division, Thanjavur vide reference 9th cited has sent a proposal for opening a new bullock cart sand quarry, over an extent of 3.00.0 hec. in S.F.Nos.8 & 9 classified as Government poramboke (Agniyar river) of Chinna Avudaiyar Kovil Village, Pattukkottai Taluk, Thanjavur District.

2) The subject area has been jointly inspected on 23.06.2018 by the Revenue Divisional Officer, Pattukottai, Assistant Executive Engineer, TWAD Board, Thanjavur, the Assistant Executive Engineer, PWD., WRD., Mining & Monitoring Division, Thanjavur and the Assistant Director (i/c) Mines, Thanjavur and Village Administrative Officer Chinaavudaiyar Kovil Village, Pattukottai Taluk and they have recommended the proposal received from the Executive Engineer, PWD., WRD., Mining & Monitoring Division, Thanjavur has forwarded the proposal for opening a bullock cart of sand quarry, in above said location as demarcated by the Public Works Department with certain conditions in vide reference 10th cited.

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3) Based on the recommendations of the above officials the proposal was examined and considered for the grant of quarry lease for quarrying sand for a period of Three years and accordingly precise area has been communicated vide in the reference 11th cited with a direction to furnish the approved Mining plan and to obtain Environmental Clearance from the District Level Environment Impact Assessment Authority, Thanjavur.

4) As directed, the Executive Engineer, PWD, Water Resources Department, Mining and Monitoring Division, Thanjavur had submitted the approved Mining Plan and Environment Clearance issued by the District Level Environment Impact Assessment Authority, Thanjavur vide letter No.DEIAA-Tnj-I/F.No.75/1(a)EC.No:7/2017 dated:06.08.2018, for quarrying of 54000 M³ of Sand in above said location.

5) The applicant has also obtained and produced Consent order Nos.1805217286272 and 1805117286272 dated:15.11.2018 from Tamilnadu Pollution Control Board, Thanjavur vide reference 15th cited as conditioned in the Environmental clearance.

In view of the above, permission to commence a new Bullock Card sand quarry is here by granted to the Executive Engineer, PWD, Water Resources Department, Mining and Monitoring Division, Thanjavur for removal and transportation of sand of 54,000 Cbm (L 300m X W100m X D1.80m) over an extent of 3.00.0 Hects in S.F.Nos.8 & 9, classified as Government poramboke (Agniyar River) of Chinna Avudaiyar kovil Village, Pattukottai Taluk, Thanjavur Distirct.

The life period of sand quarry is either three years or till exhaust the quantity of 54000 Cbm of sand.

itions.

(151)

(99)

A safety distance of 50 m. has to be left and maintained to the river bank of either side.

Depth of quarrying shall not exceed 1 m from the sill level.

iii. Formation of temporary approach to the quarry site shall be done by using Biodegradable materials only.

iv. The Executive Engineer, Public Works Department/ WRO / Mining and Monitoring Division Thanjavur shall strictly adhere the guidelines and instructions given by the Government / DEIAA, Thanjavur for quarrying of sand.

v. Quarrying shall be under the direct control and supervision of PWD official appointed by the Executive Engineer, Water Resources Department, Mining and Monitoring Division, Thanjavur.

vi. Quarrying shall be done without causing any hindrance to the local public and nearby Agricultural lands.

vii. The proposed site is to be demarcated with pucca pillar stones and benchmark level has to be fixed by the Executive Engineer, PWD, Water Resources Department, Mining and Monitoring Division, Thanjavur, before commencement of quarrying operations.

viii. No criss cross road is permissible in the proposed quarry site which may cause obstruction to the flow of water.

ix. If any of the above condition is found to be violated this quarrying permission is deemed to be cancelled automatically without any notice.

x. The quarrying operations shall be restricted from 6.00 A.M. to 7.00 P.M.

xi. The Tahsildar, pattukottai is directed that the mining activity and the compliance of all the above conditions shall be monitored by the Taluk level Task Force once in a month by physical inspections and the status of compliance should be recorded by the committee in the Register maintained at the site.

(152) (80)

Executive Engineer, Public Works Department, Water Resources Department, Mining and Monitoring Division, Thanjavur should file a report before the District Collector, Thanjavur showing the quantity of sand lifted as against the permitted quantity allowed to be lifted once in two weeks.

No Transport permit shall be issued for the sale of sand to other States as per Rule 38-B of the Tamil Nadu Minor Mineral Concession Rules, 1959.

- xiv. The transport permit for the transportation of sand from the sand quarry site should be issued by the Public Works Department in the form prescribed in Appendix - XVII in Rule 38-C (2) (a) of the Tamil Nadu Minor Mineral Concession Rules, 1959.
- xv. The quarrying of sand shall be eco friendly and confined to the areas demarcated in the FMB sketch as produced by the Executive Engineer, Public Works Department, Water Resources Department, Mining and Monitoring Division, Thanjavur.
- xvi. Quarrying of sand shall be confined to the area for which permission is granted.
- xvii. The Public Works Department shall carryout quarrying operations in a skilful, scientific and systematic manner keeping in view proper safety of the labourers, structures and the public and public works located in that vicinity of the quarrying area and in a manner to preserve that environment and ecology of the area.
- xviii. Quarrying shall be restricted to the permitted optimum depth of not more than one meter with special care to preserve the river bed strata.
- xix. At any cost natural water course of the river and the gradient towards downstream should be maintained for free flow of water.
- xx. Quarrying in river bed should not be done during rain and flood. The total quantity of sand permitted in the Environmental Clearance should not be exceeded in any case within the overall permitted period.
- xxi. Quarrying below the water table should be avoided as a safe guard against Environmental Contamination and over exploitation of resources.

- cxii. The mined out pits should be backfilled where warranted and area should be suitably landscaped to prevent environmental degradation.
- cxiii. 500 m safety distance should be left out for the bridge, water supply system, infiltration well or pumping installation of any of the local bodies or Central or State Government Department or the Tamil Nadu Water Supply and Drainage Board head works.
- cxiv. All the conditions stipulated in the Environment Clearance granted in DEIAA-TNJ-1 F.No75/1(a) EC.No:7/2017 dated: 06.08.2018 by the District Level Environment Impact Assessment Authority, Thanjavur should be scrupulously followed.

(sd/-10.02.2020)
District Collector,
Thanjavur.

//Forwarded By Order//

[Signature]
11/02/2020
For Collector,
Thanjavur

TO:
The Executive Engineer,
Water Resources Department
Public Works Department,
Mining and Monitoring Division,
Thanjavur.

Copy to

1. The project Director, Sand quarry operations,
Public Works Department WRO,
PWD Office Campus, Kalasara mahal
Chepauk, Chennai-5
2. The Sub-Collector,
Pattukottai.
3. The Thashildar, Pattukottai.
4. The Village Administrative officer,
Chinna Avudaiyar kovil.

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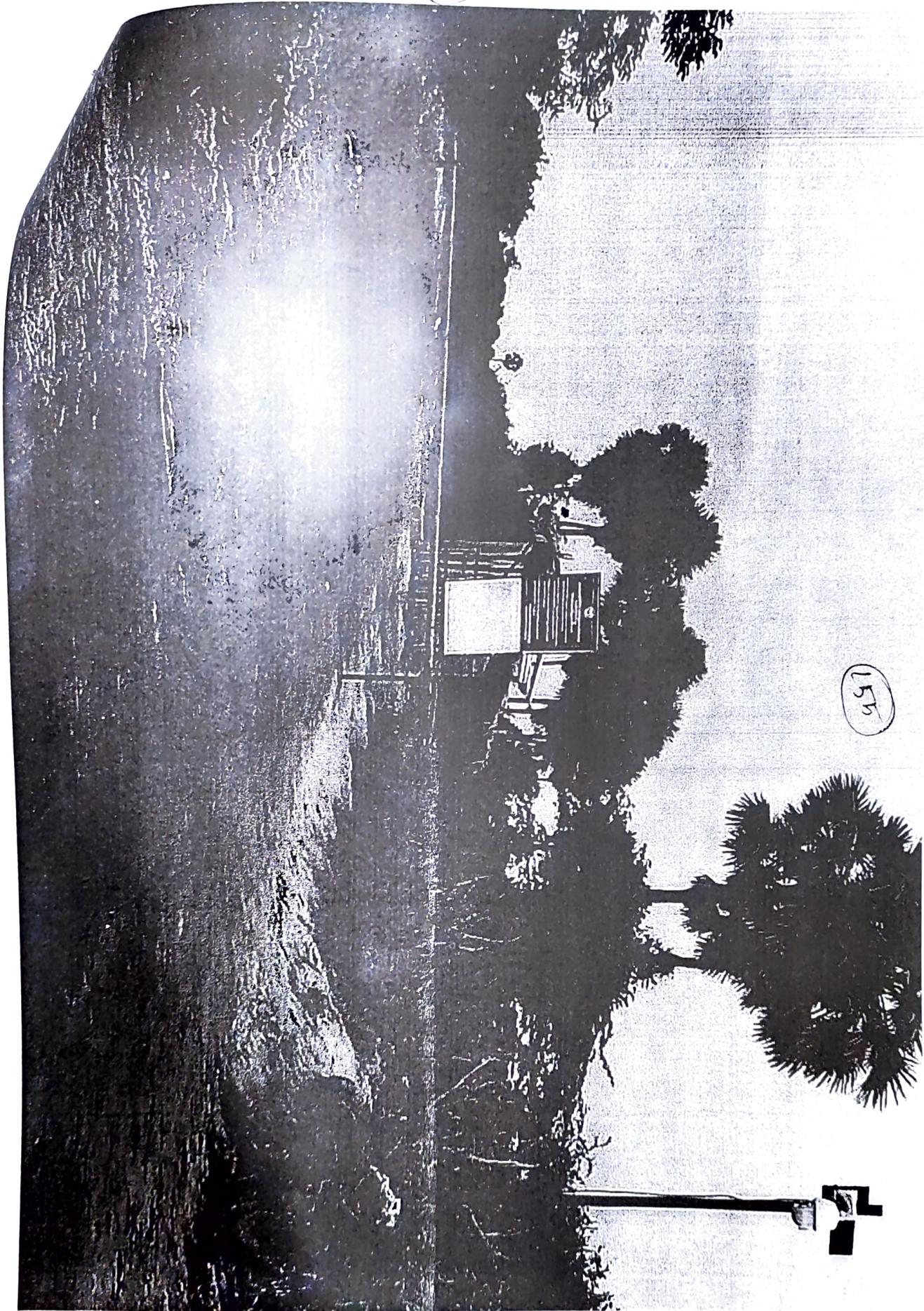
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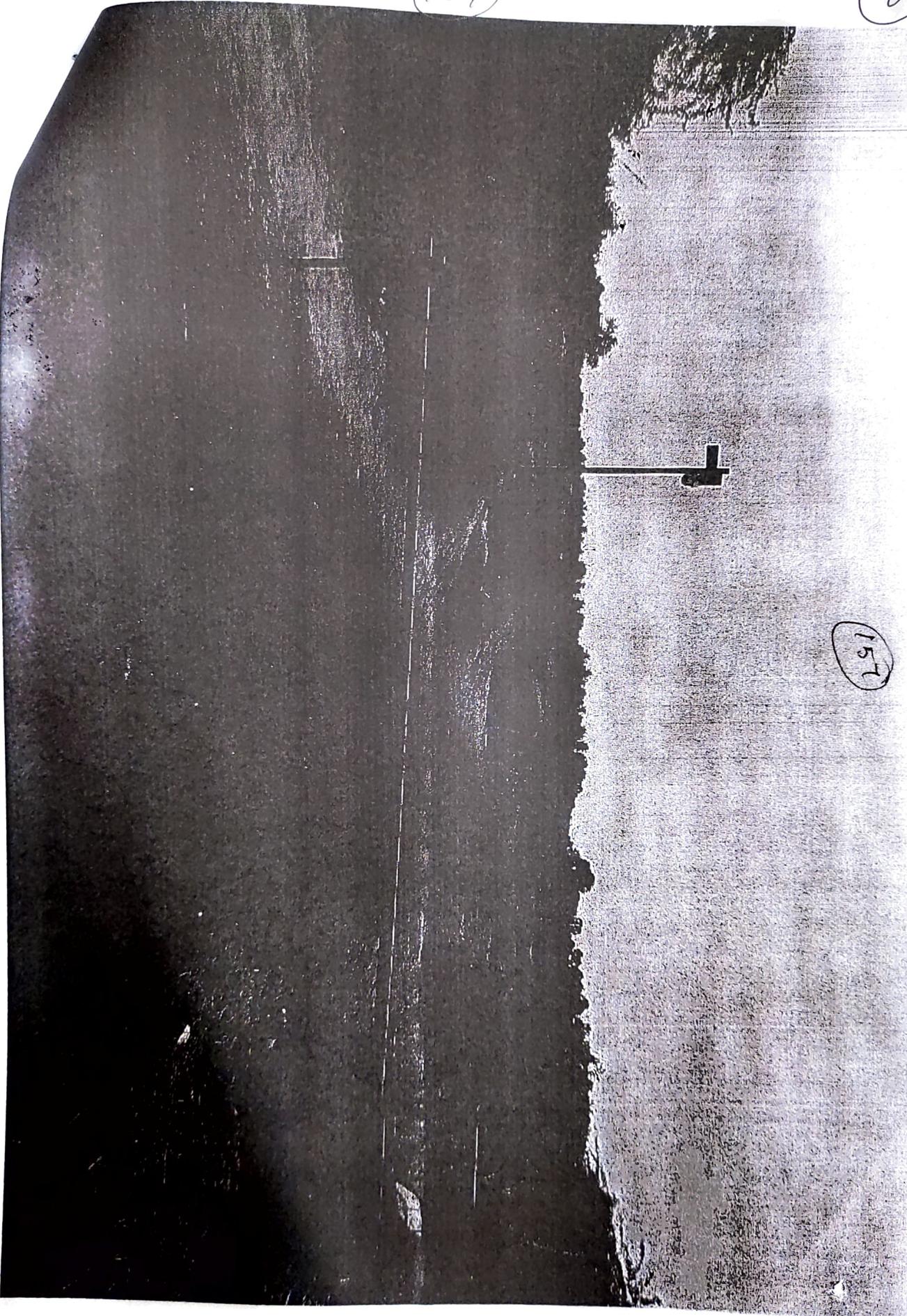
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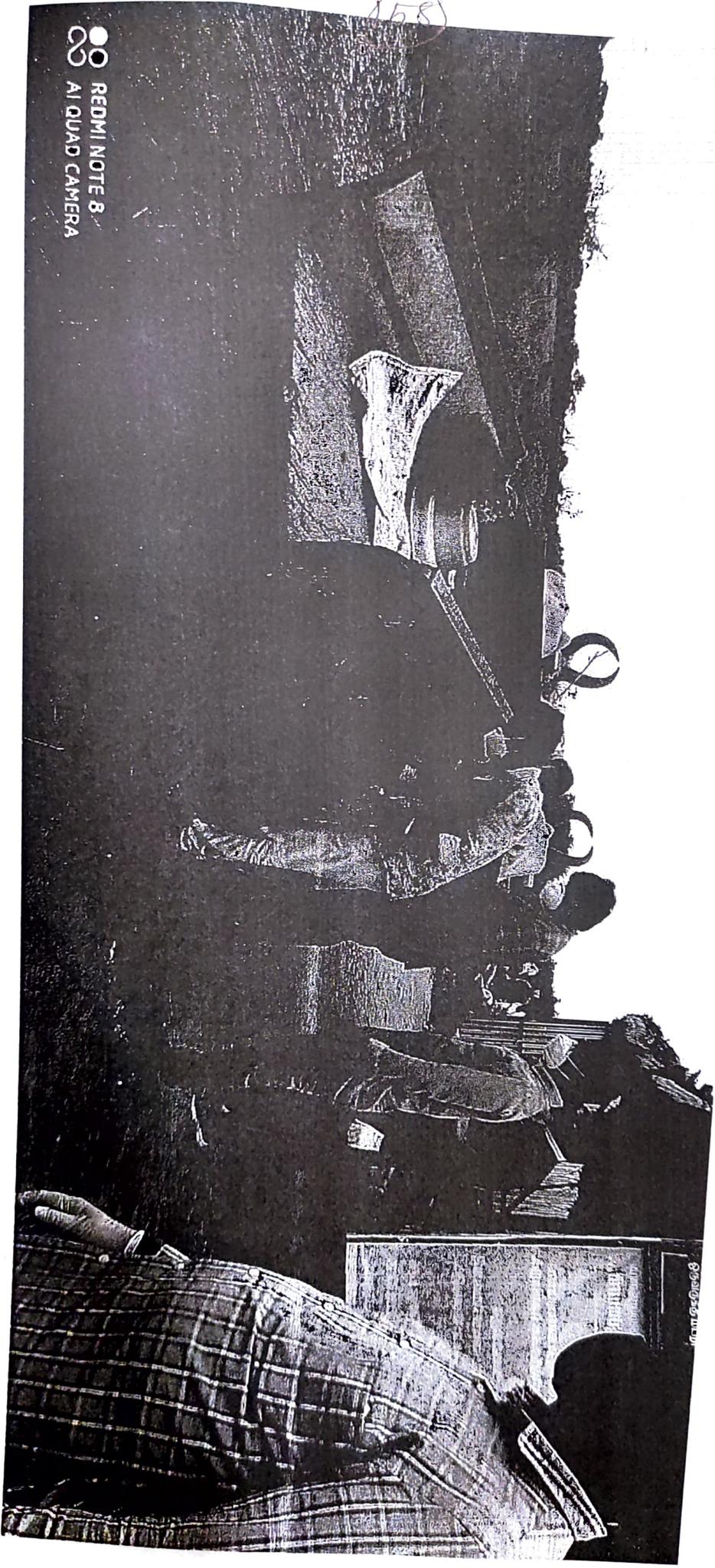


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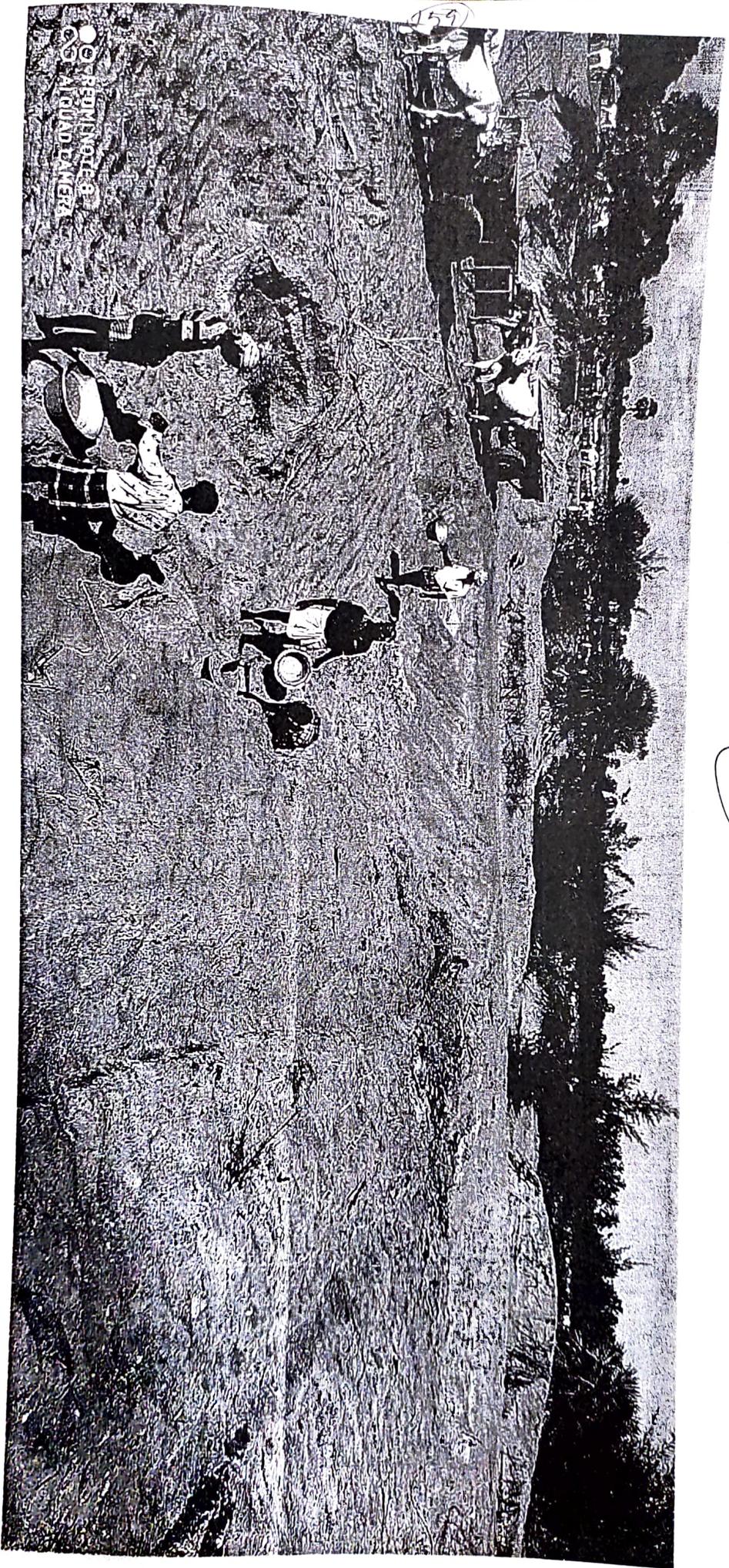


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AI QUAD CAMERA

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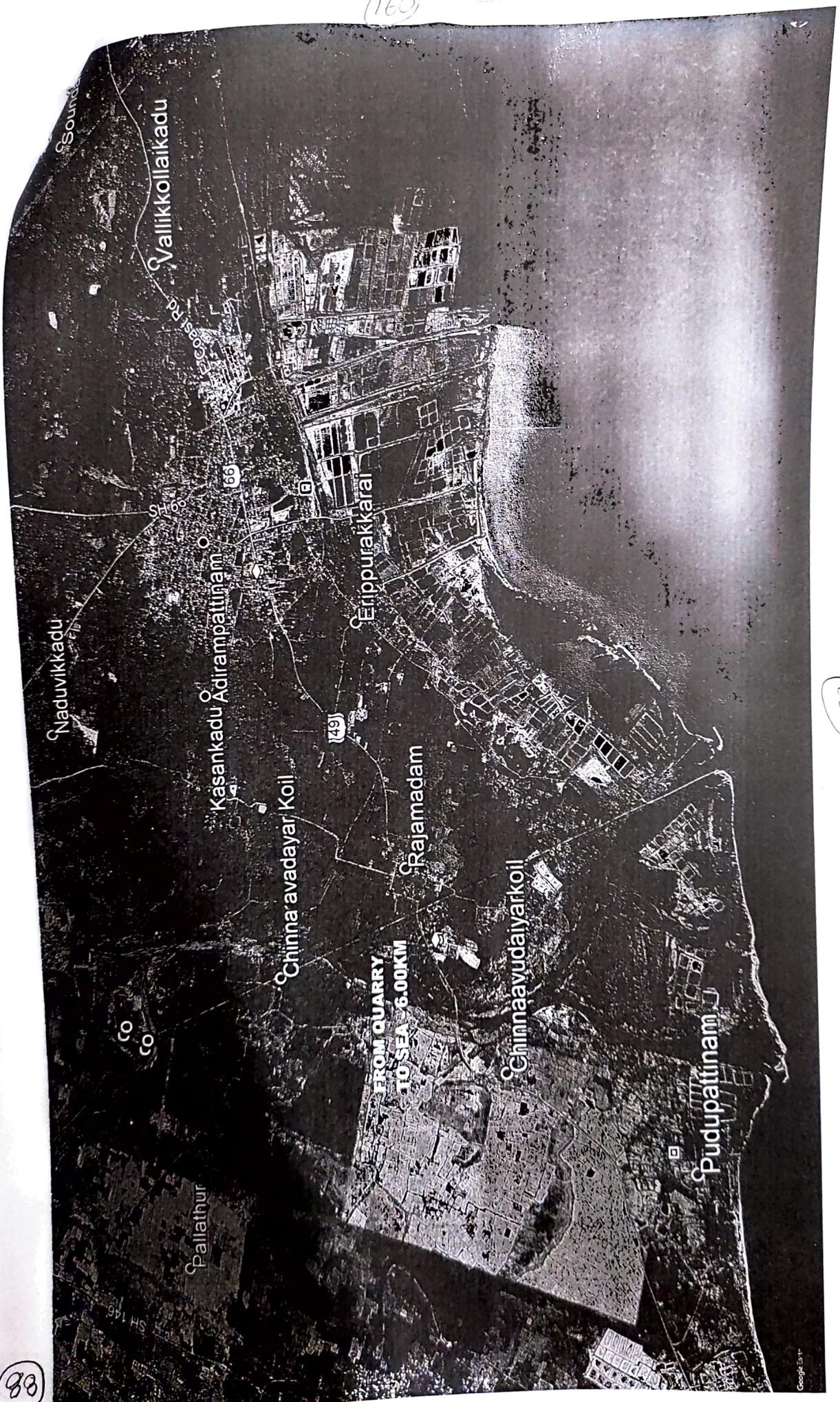
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DISTRICT: THANJAVUR

**IN THE HIGH COURT OF
JUDICATURE AT MADRAS
MADURAI BENCH**
(Special Original Jurisdiction)

W. P. (MD) No. 13712 of 2020

TYPED SET OF PAPERS

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Sub Matters

Case Number : WMP(MD)/11386/2020

Case Number : WMP(MD)/11383/2020

Linked Cases

Filing Number2	Case Number
WP(MD)/36320/2020 (main)	WP(MD)/13712/2020 (main)
WP(MD)/54572/2011	WP(MD)/12937/2011
WP(MD)/61098/2011	WP(MD)/14735/2011
WMP(MD)/18960/2020	WMP(MD)/5539/2020
WMP(MD)/28667/2020	WMP(MD)/9263/2020
WP(MD)/28666/2020	WP(MD)/10471/2020
WMP(MD)/36322/2020	WMP(MD)/11386/2020
WP(MD)/12770/2012	WP(MD)/2901/2012
WP(MD)/21084/2020	WP(MD)/7045/2020
WMP(MD)/13818/2020	WMP(MD)/4056/2020
WMP(MD)/13894/2020	WMP(MD)/4057/2020
WMP(MD)/21085/2020	WMP(MD)/6481/2020
WMP(MD)/18961/2020	WMP(MD)/5540/2020
WP(MD)/28589/2012	WP(MD)/6761/2012
WP(MD)/12903/2012	WP(MD)/2884/2012
WMP(MD)/18959/2020	WMP(MD)/5538/2020
WP(MD)/18958/2020	WP(MD)/6312/2020
WP(MD)/13816/2020	WP(MD)/4684/2020
WMP(MD)/36321/2020	WMP(MD)/11383/2020
WMP(MD)/18962/2020	WMP(MD)/5541/2020

History of Case Hearing

Cause List Type	Judge	Business On Date	Hearing Date	Purpose of hearing
Regular List	Honourable Mr Justice N. KIRUBAKARAN , Honourable Mr Justice B.PUGALENDHI		06-10-2020	ADMISSION (WP)
Regular List	Honourable Mr Justice N. KIRUBAKARAN , Honourable Mr Justice B.PUGALENDHI	<u>30-11-2020</u>	07-12-2020	SAND MATTERS
Regular List	Honourable Mr Justice N. KIRUBAKARAN , Honourable Mr Justice B.PUGALENDHI	<u>04-11-2020</u>	18-11-2020	SAND MATTERS
Regular List	Honourable Mr Justice N. KIRUBAKARAN ,	<u>08-10-2020</u>	13-10-	ADJOURNED

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MADURAI BENCH OF MADRAS HIGH COURT

WP
(MD).13712/2020

PENDING

VENKATESHWARAN S/O.SIVASUBRAMANIAN ,
MALIYAKADU VILLAGE AND POST, NADIMUTHU VIA,
PATTUKOTTAI TALUK, THANJAVUR DIST.

Vs

THE PROJECT DIRECTOR, SAND QUARRY OPERATIONS,
PUBLIC WORKS DEPARTMENT , WRO, PWD OFFICE CAMPUS,
KALASARA MAHAL, CHEPPAUK, CHENNAI - 5.

and 3 Others

Petitioner Counsel M/S.S.MUNIYANDI

V.RAMALINGAM

9944184176

Respondent
Counsel

M/S.J.PADMAVATHI DEVI SPL.GP F

SPL.GP COUNTER(R1 & R3)-24683/

Category

PUBLIC INTEREST LITIGATION

District

THANJORE

Adjourned to 07/12/2020

Last Listed on **30/11/2020**

Hon`ble Mr.Justice N.KIRUBAKARAN

Coram

Hon`ble Mr.Justice B.PUGALENDHI

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Case Details

Filing Number	WP(MD) /54572/2011	Filing Date	12-11-2011
Registration Number	WP(MD) /12937/2011	Registration Date	12-11-2011
CNR Number	HCMD01-002503-2011		

Case Status

First Hearing Date	
Next Hearing Date	07th December 2020
Stage of Case	IMMEDIATELY AFTER ADMISSION
Coram	Honourable Mr Justice N. KIRUBAKARAN , Honourable Mr Justice B.PUGALENDHI
Bench Type	Division Bench
Judicial Branch	Writ Section
State	TAMIL NADU
District	Thanjavur

Petitioner and Advocate

1) S. VENKATESWARAN, Advocate- m/s. r. satish, I. VELPRADEEP

Respondent and Advocate

1) THE DISTRICT COLLECTOR, Advocate - GOVT. ADVOCATE, TAKES NOTICE
2) THE EXECUTIVE ENGINEER,

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Category	Public Interest Litigation (128)
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Regular List	Honourable Mr Justice N. KIRUBAKARAN , Honourable Mr Justice B.PUGALENDHI	<u>30-11-2020</u>		SAND MATTERS
Regular List	Honourable Mr Justice N. KIRUBAKARAN , Honourable Mr Justice B.PUGALENDHI	<u>04-11-2020</u>	18-11-2020	SAND MATTERS
Regular List	Honourable Mr Justice N. KIRUBAKARAN , Honourable Mr Justice B.PUGALENDHI	<u>08-10-2020</u>	13-10-2020	ADJOURNED ADMISSION (WP)
Regular List	Honourable Mr Justice M. VENUGOPAL , Honourable Mr Justice K. N. BASHA	<u>14-11-2011</u>		

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MADURAI BENCH OF MADRAS HIGH COURT

WP
(MD).12937/2011

PENDING

S. VENKATESWARAN, S/O.SIVASUBRAMANIAN,
MAALIYAKKADU POST-614 602. PATTUKKOTTAI TALUK,
THANJAVUR DT.

Vs

THE DISTRICT COLLECTOR, THANJAVUR DT.

and Another

Petitioner Counsel M/S. R. SATISH

I. VELPRADEEP

Respondent
Counsel

GOVT. ADVOCATE

TAKES NOTICE

Category

PUBLIC INTEREST LITIGATION

District

THANJORE

Adjourned to 07/12/2020

Last Listed on **30/11/2020**

Hon`ble Mr.Justice N.KIRUBAKARAN

Coram

Hon`ble Mr.Justice B.PUGALENDHI

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Case Details

Filing Number	WP(MD) /61098/2011	Filing Date	16-12-2011
Registration Number	WP(MD) /14735/2011	Registration Date	21-12-2011
CNR Number	HCMD01-002645-2011		

Case Status

First Hearing Date	
Next Hearing Date	07th December 2020
Stage of Case	IMMEDIATELY AFTER ADMISSION
Coram	Honourable Mr Justice N. KIRUBAKARAN , Honourable Mr Justice B.PUGALENDHI
Judicial Branch	Writ Section
State	TAMIL NADU
District	Thanjavur

Petitioner and Advocate

1) T. BALASUBRAMANIAN, Advocate- m/s. s.k. mani, M.GANDHI
--

Respondent and Advocate

1) STATE OF TAMIL NADU Advocate - SPL.GOV.T.PLEADER, TAKES NOTICE
2) THE EXECUTIVE ENGINEER
3) THE REVENUE DIVISIONAL OFFICER
4) THE TAHSILDAR

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Regular List	Honourable Mr Justice N. KIRUBAKARAN , Honourable Mr Justice B.PUGALENDHI	<u>04-11-2020</u>	18-11-2020	SAND MATTERS
Regular List	Honourable Mr Justice N. KIRUBAKARAN , Honourable Mr Justice B.PUGALENDHI	<u>08-10-2020</u>	13-10-2020	ADJOURNED ADMISSION (WP)
Regular List	Honourable Mr Justice V. RAMASUBRAMANIAN	<u>22-12-2011</u>		

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MADURAI BENCH OF MADRAS HIGH COURT

WP
(MD).14735/2011

PENDING

T. BALASUBRAMANIAN, S/O. THIRUVAIAH PILLAI,
MALIAKADU POST, PATTUKOTTAI TALUK, THANJAVUR
DISTRICT.

Vs

STATE OF TAMIL NADU REP. BY ITS DISTRICT
COLLECTOR, THANAJVUR DIST., COLLECTORATE,
THANJAVUR.

and 3 Others

Petitioner Counsel M/S. S.K. MANI

M.GANDHI

Respondent
Counsel

SPL.GOV.T.PLEADER

TAKES NOTICE

Category

GENERAL MISCELLANEOUS

District

THANJORE

Adjourned to 07/12/2020

Last Listed on 30/11/2020

Hon`ble Mr.Justice N.KIRUBAKARAN

Coram

Hon`ble Mr.Justice B.PUGALENDHI

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Filing Number	WP(MD) /28589/2012	Filing Date	08-05-2012
Registration Number	WP(MD) /6761/2012	Registration Date	08-05-2012
CNR Number	HCMD01-004009-2012		

Case Status

First Hearing Date	
Next Hearing Date	07th December 2020
Stage of Case	IMMEDIATELY AFTER ADMISSION
Coram	Honourable Mr Justice N. KIRUBAKARAN , Honourable Mr Justice B.PUGALENDHI
Bench Type	Division Bench
Judicial Branch	Writ Section
State	TAMIL NADU
District	Thanjavur

Petitioner and Advocate

1) P.MANIVASAGAM,
Advocate- m/s. s.k. mani, M.GANDHI

Respondent and Advocate

1) STATE OF TAMIL NADU REP BY
Advocate - MR.C.SELVARAJ,
AGP TAKES NOTICE, FOR THE RESPONDENTS
2) THE EXECUTIVE ENGINEER,
3) THE REVENUE DIVISIONAL OFFICER

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Category Public Interest Litigation (128)

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Cause List Type	Judge	Business On Date	Hearing Date	Purpose of hearing
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Regular List	Honourable Mr Justice N. KIRUBAKARAN , Honourable Mr Justice B.PUGALENDHI	<u>04-11-2020</u>	18-11-2020	SAND MATTERS
Regular List	Honourable Mr Justice N. KIRUBAKARAN , Honourable Mr Justice B.PUGALENDHI	<u>08-10-2020</u>	13-10-2020	ADJOURNED ADMISSION (WP)
Regular List	Honourable Mr Justice M. SATHYANARAYANAN , Honourable Mr Justice D. HARIPARANTHAMAN	<u>09-05-2012</u>		

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MADURAI BENCH OF MADRAS HIGH COURT

WP
(MD).6761/2012

PENDING

P.MANIVASAGAM, S/O PALAYAN, PRESIDENT,
THOKKALIKADU PANCHAYAT, MAHILANKOTTAI POST,
ATHIRAMAPATTINAM 614 704

Vs

STATE OF TAMIL NADU REP BY ITS DISTRICT COLLECTOR,
THANJAVUR DISTRICT, COLLECTORATE, THANJAVUR

and 2 Others

Petitioner
Counsel

M/S. S.K. MANI

M.GANDHI

Respondent
Counsel

MR.C.SELVARAJ

AGP TAKES NOTICE

FOR THE RESPONDENTS

Category

PUBLIC INTEREST LITIGATION

District

THANJORE

Adjourned to 07/12/2020

Last Listed on **30/11/2020**

Hon`ble Mr.Justice N.KIRUBAKARAN

Coram

Hon`ble Mr.Justice B.PUGALENDHI

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Case Details

Filing Number	WP(MD) /12770/2012	Filing Date	06-03-2012
Registration Number	WP(MD) /2901/2012	Registration Date	08-03-2012
CNR Number	HCMD01-003584-2012		

Case Status

First Hearing Date	
Next Hearing Date	07th December 2020
Stage of Case	IMMEDIATELY AFTER ADMISSION
Coram	Honourable Mr Justice N. KIRUBAKARAN , Honourable Mr Justice B.PUGALENDHI
Bench Type	Division Bench
Judicial Branch	Writ Section
State	TAMIL NADU
District	Thanjavur

Petitioner and Advocate

1) S. VENKATESWARAN,
Advocate- m/s. E. UDHAYA, I. IRULAPPAN

Respondent and Advocate

1) THE DISTRICT COLLECTOR,
2) THE EXECUTIVE ENGINEER,

Category Details

Category Public Interest Litigation (128)

IA Details

IA Number	Party	Date of Filing	Next Date	IA Status 
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MADURAI BENCH OF MADRAS HIGH COURT

WP
(MD).2901/2012

PENDING

S. VENKATESWARAN, S/O.SIVASUBRAMANIAN,
MAALIYAKKADU POST-614 602. PATTUKOTTAI TALUK,
THANJAVUR DIST.

Vs

THE DISTRICT COLLECTOR, THANJAVUR DIST.

and Another

Petitioner
Counsel

M/S. E. UDHAYA

I. IRULAPPAN

Category

PUBLIC INTEREST LITIGATION

District

THANJORE

Adjourned to 07/12/2020

Last Listed on **30/11/2020**

Hon`ble Mr.Justice N.KIRUBAKARAN

Coram

Hon`ble Mr.Justice B.PUGALENDHI

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Case Details

Filing Number	WP(MD) /12903/2012	Filing Date	06-03-2012
Registration Number	WP(MD) /2884/2012	Registration Date	08-03-2012
CNR Number	HCMD01-003582-2012		

Case Status

First Hearing Date	
Next Hearing Date	07th December 2020
Stage of Case	IMMEDIATELY AFTER ADMISSION
Coram	Honourable Mr Justice N. KIRUBAKARAN , Honourable Mr Justice B.PUGALENDHI
Bench Type	Division Bench
Judicial Branch	Writ Section
State	TAMIL NADU
District	Thanjavur

Petitioner and Advocate

1) P.MANIVASAGAM
Advocate- M/S. S.K. MANI, M.GANDHI

Respondent and Advocate

1) THE STATE OF TAMIL NADU
Advocate - MR.K.MAHENDRAN,
SPL GP TAKES NOTICE, FOR THE RESPONDENTS, MR.V.MANIKANDAN, ADVOCATE COMMISSIONER, M/S.
G. PRABHU RAJADURAI, R. MAHESWARAN FOR R4
2) THE EXECUTIVE ENGINEER,
3) THE REVENUE DIVISIONAL OFFICER
4) R.P.RAMESH,

Category Details



(177)

//
Classification : - - Pending

History of Case Hearing

Cause List Type	Judge	Business On Date	Hearing Date	Purpose of hearing
Regular List	Honourable Mr Justice N. KIRUBAKARAN , Honourable Mr Justice B.PUGALENDHI	<u>30-11-2020</u>		SAND MATTERS
Regular List	Honourable Mr Justice N. KIRUBAKARAN , Honourable Mr Justice B.PUGALENDHI	<u>04-11-2020</u>	18-11-2020	SAND MATTERS
Regular List	Honourable Mr Justice N. KIRUBAKARAN , Honourable Mr Justice B.PUGALENDHI	<u>08-10-2020</u>	13-10-2020	ADJOURNED ADMISSION (WP)
Regular List	Honourable Mr Justice M.DURAIWAMY , Honourable Mr Justice P.P.S. JANARTHANA RAJA	<u>31-08-2012</u>		
Regular List	Honourable Mr Justice M.DURAIWAMY , Honourable Mr Justice P.P.S. JANARTHANA RAJA	<u>24-08-2012</u>		
Regular List	Honourable Mr Justice M.DURAIWAMY , Honourable Mr Justice P.P.S. JANARTHANA RAJA	<u>14-08-2012</u>	24-08-2012	
Regular List	Honourable Mrs Justice R.BANUMATHI , Honourable Mr Justice G.M.AKBAR ALI	<u>01-08-2012</u>	14-08-2012	
Regular List	Honourable Mrs Justice R.BANUMATHI , Honourable Mr Justice G.M.AKBAR ALI	<u>19-07-2012</u>	01-08-2012	
Regular List	Honourable Mrs Justice R.BANUMATHI , Honourable Mr Justice B. RAJENDRAN	<u>27-06-2012</u>	19-07-2012	
Regular List	Honourable Mrs Justice R.BANUMATHI , Honourable Mr Justice B. RAJENDRAN	<u>11-06-2012</u>	27-06-2012	
Regular List	Honourable The CHIEF JUSTICE , Honourable Mr Justice G.M.AKBAR ALI	<u>30-05-2012</u>		
Regular List	Honourable Ms. Justice K.B.K. VASUKI , Honourable Mr Justice R. KARUPPIAH	<u>17-05-2012</u>		
Regular List	Honourable Mrs Justice R.BANUMATHI , Honourable Mr Justice B. RAJENDRAN	<u>20-04-2012</u>		

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Regular List	Honourable Mrs Justice CHITRA VENKATARAMAN Honourable Mr Justice R. KARUPPIAH	<u>28-03-2012</u>
Regular List	Honourable Mrs Justice CHITRA VENKATARAMAN Honourable Mr Justice R. KARUPPIAH	<u>27-03-2012</u>
Regular List	Honourable Mr Justice K. RAVICHANDRABAABU Honourable Mrs Justice CHITRA VENKATARAMAN	<u>19-03-2012</u>
Regular List	Honourable Mrs Justice CHITRA VENKATARAMAN Honourable Mr Justice R. KARUPPIAH	<u>09-03-2012</u>

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MADURAI BENCH OF MADRAS HIGH COURT

WP
(MD).2884/2012

PENDING

P.MANIVASAGAM S/O PALAYAN, THOKKALIKADU
PANCHAYAT, MAHILANKOTTAI POST, ATHIRAMAPATTINAM
614 704

Vs

THE STATE OF TAMIL NADU REP BY THE DISTRICT
COLLECTOR, THANJAVUR DISTRICT, COLLECTORATE,
THANJAVUR

and 3 Others

Petitioner
Counsel

M/S. S.K. MANI

M.GANDHI

Respondent
Counsel

MR.K.MAHENDRAN

SPL GP TAKES NOTICE

FOR THE RESPONDENTS

MR.V.MANIKANDAN

ADVOCATE COMMISSIONER

M/S. G. PRABHU RAJADURAI

R. MAHESWARAN FOR R4

Category

PUBLIC INTEREST LITIGATION

District

THANJORE

Adjourned to 07/12/2020

Last Listed on 30/11/2020

Hon`ble Mr.Justice N.KIRUBAKARAN

Coram

Hon`ble Mr.Justice B.PUGALENDHI

Memo of W.P.14735/2014, 12937/2017, 2884/2012 and 6761/2012

Sub : Current Status of Court Case – Submission – Reg.

A Government sand Quarry in Agniyar River (SF.No.112) of Sendakkottai Revenue Village Maliyakkadu Panchayat of Thanjavur District was Sanctioned by the District Collector vide Proceedings No.316/2011(Minerals) dated :24.02.2012 for Quarrying 13238 units of sand.

As per the Proceeding the sand Quarry was opened on 12.03.2012 and closed on 18.04.2012 after reaching the approved quarrying of sand.

Another new quarry has been approved by the District collector, Thanjavur vide the Proceedings No.316 (Minerals) dated: 04.05.2012, to quarry 13058 units of sand in the same extent, (SF.No.112).

The new quarry was opened on 08.05.2012 in the same above extent. Vide Thanjavur District Collector Proceedings No.316 (Minerals) dated: 04.05.2012, and Quarry Operation was closed on 05.05.2012 after the approved quantity of sand mining has been reached on 05.06.2012.

Mean time the following Petitioners (1) T.Balasubramaniyan, S/o Thiruvaiyapillai, Maliyakadu post, Pattukkottai - W.P.14735/2011 (2) S.Venkateswaran, S/o Sivasubramaniyan, Maliyakkadu Post, Pattukkottai - W.P.12937/2017 3) P.Manivasagam, S/o Palaiyan, Mahilankkottai Post, Pattukkottai - W.P. 2884/2012 and 6761/2012 has filed the writ petition to stop the sand quarry operation.

(18)

During that time The Honourable Madras High Court of Madurai bench appointed the Mr.V.Manikandan, Advocate Commissioner to inspect the sand quarry site SF No. 112 at agniyar and note down the physical features. The advocate commissioner had inspected the above site along with PWD & Revenue officials and submitted the Report to the honorable court which is now enclosed for Reference.


Executive Engineer, PWD / WRD.,
Agniya Basin Division
Pattukkottai

According to the W.P. (MD).No. 14735 of 2011

The Petitioner (T.Balasubramanian S/o Thiruvalya Pillai) submitted his arguments in the affidavit are,

He was an Ex-Service man and the government has given the agriculture land of SF.112 to their service to the nation and to offer special privilege Ex-Service man shall be assigned the pieces of land and he was cultivated planting of coconut saplings, Eucalyptus saplings and more over he was said the River bank was breached in rainy seasons due to Quarry operation.

The Executive Engineer submitted his arguments in the affidavit are,

I submit that the petitioner is an Ex-Service man but I am not aware of the fact that his family is an agricultural family. Equally, we are not aware of the fact that he is not having any land of his own till date. But, as per revenue records, he is in occupation of a piece and parcel of land as an encroacher situate in survey No.112, Maliakkadu Village for which he is issued with 'B' memo receipts more over the said land is classified only as "Agni River" that is to say "River Porambokku" in the revenue records. Even in the "Adangal" also it is recorded that he is said to have planted.

Surplus there, If it is so, we are in no way responsible for his thoughts that he could get an assignment of cultivable land as he is eligible as an Ex-Service man.

As for as our knowledge goes, there is neither an order nor any circular issued so for either by the Central Government or by the State Government that in order to recognize their service to the nation and to offer special previlage Ex-Service man shall be assigned the pieces of land under their occupation and patta shall be issued to them.

Agni Aru is jungle stream and it does not have any preventive flow of water. On fact, it drains out the water which stagnates in the paddy fields lying on the north western side of it during the rainy seasons. Usually land alone will get inundated and it is unheard that river gets inundated during rainy reasons. The petitioner himself admitted of his affidavit that banks on the both sides of the river had already been reinforced. If so, there could not be any apprehension that during the rainy season there could be breaches.

Under no stretch of imagination, planting of coconut saplings and Eucaliptus saplings and watering them could be construed as a cultivating activity. There fore it is prayed and that the Hon'ble Court may be pleased to dismiss this petition and thus render justice.

W.P. (MD).No. 12937 of 2011

According to the W.P. (MD).No. 12937 of 2011

The Petitioner (S.Venkateswaran, S/o Sivasubramaniyan) submitted his arguments in the affidavit are,

He was said that to restore the north bund of Agniyar River in SF.No.112, Maliyakkadu Village of Pattukkottai Taluk in the Flood season and he was cultivate coconut trees and Eucalyputs trees there under his patronage and also he said during the flood season that Thokkalikkadu Anicut was disturbed because of this sand quarry operation.

The Executive Engineer submitted his arguments in the affidavit are,

It is humbly stated that the petitioner has sought for a writ of mandamus directing the respondents to restore the northern bund of Agni River in SF.No.112, Sendakottai Village Pattukkottai Taluk Which is absolutely unnecessary and unsustainable in the eye of law.

I deny the averments contained in the affidavit that the Agni River was causing considerable damage to the local agricultural operation. In fact, this is the river which drains out the rain water which stagnates in the paddy fields lying on its northern side, otherwise during the rainy season the stagnated water does not find any way to drain and in the result agricultural operation could not be carried out there. Even in the revenue records it is classified only as "River Poramboke" and no doubt on the north eastern side of the said area is under the occupation of the encroacher who are not agriculturalists and they do not carry out any agricultural operation there. They are periodically issued with 'B' memos. Because their names are as found in the "Adangal" they cannot claim any right over there and as admitted in the affidavit "patta" was not issued to them.

I submit that 'Agni River' flows from west to east and in the area which is earmarked for sand quarrying it protrudes into the southern side to some extent. To the northern side of the Agni River, there is Tributary River called as "Maharajasamuthiram" which flows from north to south. As the northern side is highly elevated, the water which flows through the Maharajasamuthiram joins in Agni River in its end portion that too beyond the length of 1000 meters away from the "Thakkalikkadu Anicut" and as such there need not be any apprehension that the said anicut would breach.

More over, it is this Agni River which drains out the water which stagnates in the paddy fields lying on the north western side of it during the rainy seasons. In fact, as the north western side is highly elevated, the water which stagnates there drains into this Agni River there cannot be any threat of breach.

I emphatically deny the averment contained in the affidavit filed in support of the writ petition that in order to widen the area of quarrying site we had broken the river bund on the northern side and as a result, bund of the river was completely breached nearly for an extent of 500 meters in length. In fact, after giving space for the entire stretch on both sides of the of the river bund that too with a minimum width of 50 meters only, the area for quarrying was earmarked and as such there need not be any apprehension that there could be every threat of flood. More over, the area lying on the northern side as well as the north western side is highly elevated than that of the riverbed and as such the ground water table would not be affected in any way.

Hence, it is prayed that for the reasons stated supra the Hon'ble Court may be pleased to dismiss the above writ petition and thus render justice.

W.P. (MD).No. 2884 of 2012

According to the W.P. (MD).No. 2884 of 2012

The Petitioner (P.Manivasagam, S/o Palaiyan) submitted his arguments in the affidavit are,

The petitioner said that if the quarry is operated the sea pecculation his happen and is create salinity and more over his said the flood water is damaged the thokkalikadu anicut. He mention thokkalikadu anicut is water storage dam and it will reduce the kargavayal periya eri tank storage capacity.

The Executive Engineer submitted his arguments in the affidavit are,

I deny all the allegation and averments contained in the Affidavit filed in support of the above Write petition as false and frivolous save those that are specifically admitted herein and put the petitioner to the strict proof of the same.

The allegation stated is false and denied. The petitioner has not stated where actually his land is situated, which is the source of irrigation. The alleged sea water percolation and it creates salinity are baseless.

Maharajasamuthiram river is a flood water carrier collecting the surplus rainwater from the adjacent area on its both sides running towards north to south and in view to utilize the water to the need of agriculture in rajamadam village lands and after the diversion supplied, the rest of the water will flow in the same river and mixed in agniyar after 1 K.M south of the anicut the village thokkalikadu is situated on the north east side of the river between the anicut to the joining places and that place is a elevated place i.e. about 4 to 5 feet. The anicut was constructed by PWD on 1954-1955 to divert the flood water for irrigation purpose for the lands in Rajamadam village and it is well maintained by the PWD authorities. The above Anicut constructor by considering various aspects of scientific and engineering. We are found to maintain the state asset and the quarrying will not in any way affect the structure.

As in the statement of petitioner in kottakudi periya Eri alias kargavayal periya Eri is on south side of maharajasamuthiram. It receives supply from its own catchment and from the anicut called poovanam anicut situated across agniyar in poovanam village.

The surplus water in the Eri surplus through the masonry weir at its left bank and runs through a surplus channel and falls in Maharajasamutharam.

The Thokkalikadu anicut constructed across maharajasamuthirm river is well designed for the discharge of total catchment area including kargavayal Periya Eri and all other tanks in the basin. Hence the petitioner's fear is imaginary and baseless.

The allegation is false and denied. The anicut constructed across Maharajasamuthirm in Thokkalikadu village is not a storage dam. Its only flood water diverting structure. Flood water in Maharajasamuthirm river diverted by this anicut through a supply channel and it feeds the irrigation tanks in Rajamadam village. Utilizing this water an ayacut of 77.23 acres of lands are irrigated in Rajamadam village. Petitioner's statement that "This storage Dam provided water for their lands" is baseless one. The thokkalikadu anicut is constructed and maintained by the PWD. The anicut structures and flood banks of anicut on upstream, are periodically maintained by our department. Hence the petitioner fear of flood water would damaged the anicut is baseless one.

The petitioner has not come up with clean hands and produced some manipulated materials before this Hon'ble court and making his level best attempts to disturb the authorities by stating one or other reasons through himself and his friends. Hence, there is no public interest to the petitioner.

Hence, it is prayed that for the reasons stated supra the Hon'ble Court may be pleased to dismiss the above writ petition and thus render justice.

According to the W.P. (MD).No. 6761 of 2012

The Petitioner (P.Manivasagam, S/o Palayan) submitted his arguments in the affidavit are,

He was said that the Maharajasamuthiram river and Agniyar river is directly supply water to the irrigation and the flood water affect the Thokkalikkadu anicut in Maharajasamuthiram river and the Thokkalikkadu anicut is a storage dam line is Mettur dam.

The Executive Engineer submitted his arguments in the affidavit are,

I deny all the allegation and averments contained in the Affidavit filed in support of the above Write petition as false and frivolous save those that are specifically admitted herein and put the petitioner to the strict proof of the same.

The allegation stated is false and denied. The petitioner has not stated were actually his lands are located at any events the flow of Agniyar and Maharajasamuthiram rivers inundate or destroy the irrigation lands as sated by the petitioner. The fields are irrigated mainly Cauvery water called in the name of "Grand Anicut Canal System" and bore well irrigation also. The alleged sea water percolation and it creates salinity are base less.

I deny the statement of the of the petitioner in that "Agniyaru is tributary of Maharajasamuthiram and Maharajasamuthiram flows further and and feeding agricultural lands and at last flows in to "Bay of Bengal" is a false one. Agniyar is the main river and Maharajasamuthiram is one of the tributary of agniyar.

Maharajasamuthiram has no any direct irrigation. It irrigates lands in Rajamadam village through a supply channel oftakes from Thokkalikkadu Anicut constructed across Maharajasamuthiram.

The allegation false and denied. The anicut constructed across Maharajasamuthirm in Thokkalikadu village is not a storage dam. Its only flood water diverting structure. Flood water in Maharajasamuthirm river diverted by this anicut through a supply channel and it feeds the irrigation tanks in rajamadam village. Utilizing this water an ayacut of 77.23 acres of lands are Irrigated In Rajamadam village.

Petitioner's statement that "This storage Dam provided water for their lands" is baseless one. The thokkalikadu anicut is constructed and maintained by the PWD. The anicut structures and flood banks of anicut on upstream, are periodically maintained by our department. Hence the petitioner fear of flood water would damaged the anicut is baseless one.

I totally deny the statement in the that the private lands are inside of Agniyaru pormboke in S.F.No.112. The total extent of the survey no.112 of Sendakkottai is classified as Agniyaru river in 'A' register of Revenue department. There are some eucalyptus and coconut trees that are seen in micro level and northern end of this S.F.No.112. but none have any rights for the above trees in the water bedoies peramboke.

I submit that as admitted by the petitioner himself the banks of Maharajasamuthirm were reinforced by the construction of flood protection walls by the state Government (PWD) with a view to protect the anicut. There need not be and apprehension that incase. If there is a flood there could not be a breach or any damage to the Thokkalikkadu anicut.

I deny
excavati
fiel

nds in du

I deny the all averments in the that northern bank allowed for excavation quarrying our out side of the banks etc., The petitioner already filed another petition in the Hon'ble high court in W.P.no.2884/2. The Hon'ble high court nominated a Advocate commissioner to inspect and quarry on 01.01.2012 petitioner also presented with his counsel mission petitioner did not show any place where the bund was broke where the out side of bamnk sand has been quarried. The quarry is open with in the Agniyaru water flow area and the quarrying area is minimum 50 to maximum 100m. these all facts sre revealed in the advocate commissioner's report.

The petitioner has not come up with clean hands and produced some manipulated materials before this honorable court and making his level best attempts to disturb the authorities by stating one or other reasons through himself and his friends. Hence, there is no public interest to the petitioner.

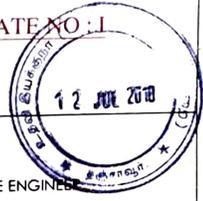
Hence, it is prayed that for the reasons stated supra the Hon'ble Court may be pleased to dismiss the above writ petition and thus render justice.


 Executive Engineer, PWD/WPD
 Agniyar Basin Division
 Pattukkottai

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PLATE NO. 1



APPLICANT: THE EXECUTIVE ENGINEER, PUBLIC WORKS DEPARTMENT, WRD, MINES AND MONITORING DIVISION, THANJAVUR.

LOCATION OF QUARRY LEASE APPLIED AREA: S.F.Nos : 8 & 9 EXTENT : 3.00.0 Ha VILLAGE : CHINA AVUDAYAR KOVIL TALUK : PATUKOTTAI DISTRICT : THANJAVUR

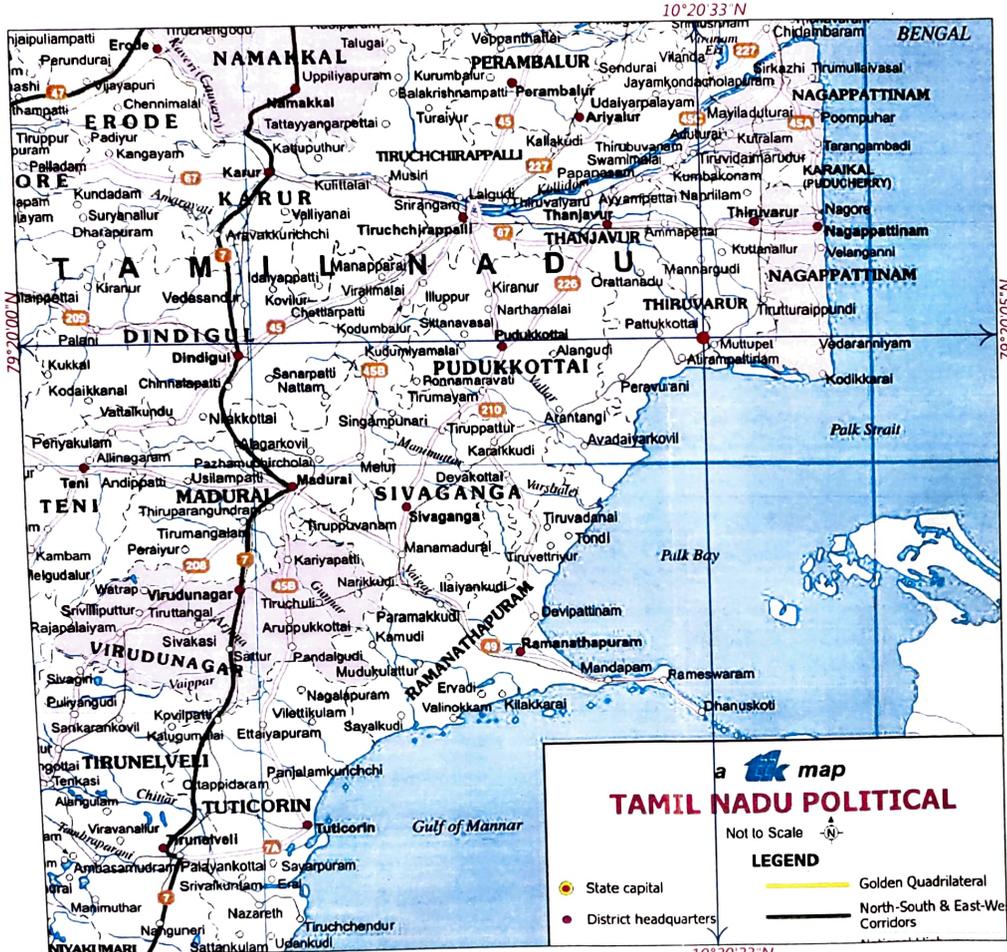
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Q.L.APPLIED AREA: TOPO SHEET No : 58 - N / 07 LATITUDE : 10°20'23"N to 10°20'33"N LONGITUDE : 79°20'00"E to 79°20'05"E

LOCATION PLAN NOT TO SCALE

Prepared By:

Signature and name of Abdul Salam M.S., Recognised Qualified Person, Reg.No.RDP/MAS/226/2011/A



Map legend and title: 'a map of TAMIL NADU POLITICAL'. Includes legend for State capital, District headquarters, Golden Quadrilateral, and North-South & East-West Corridors. Includes a north arrow and scale 'Not to Scale'.

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10°20'23"N

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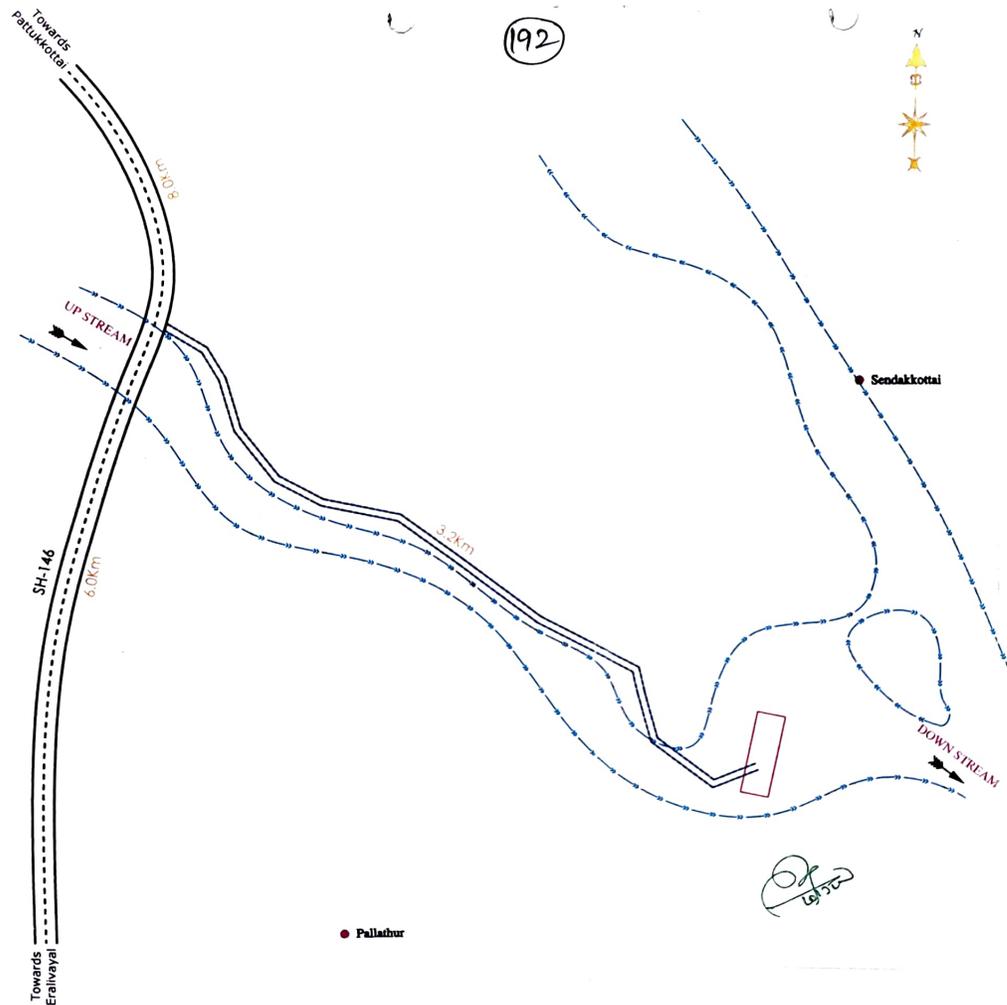


PLATE NO:II



APPLICANT:
THE EXECUTIVE ENGINEER,
PUBLIC WORKS DEPARTMENT, WRD,
MINES AND MONITORING DIVISION,
THANJAVUR.

LOCATION OF QUARRY
LEASE APPLIED AREA:
S.F.Nos : 8 & 9

EXTENT : 3.00.0 Ha
VILLAGE : CHINA AVUDAYAR KOVIL
TALUK : PATTUKOTTAI
DISTRICT : THANJAVUR

INDEX

- Q.L. APPLIED AREA 
- STATE HIGHWAY [SH-146] 
- PANCHAYAT ROAD 
- APPROACH ROAD 
- HABITATIONS 
- RIVER BUND 

KEY PLAN

Not To Scale

Prepared By:

I DO HEREBY CERTIFY THAT THE PLATE
HAS BEEN CHECKED BY ME AND IS
CORRECT TO THE BEST OF MY KNOWLEDGE

A. Abdul Salam M. Sc.
A.ABDUL SALAM, M.Sc.
RECORDED QUALIFIED PERSON
Reg. No. RQP/M&S/228/2011/A

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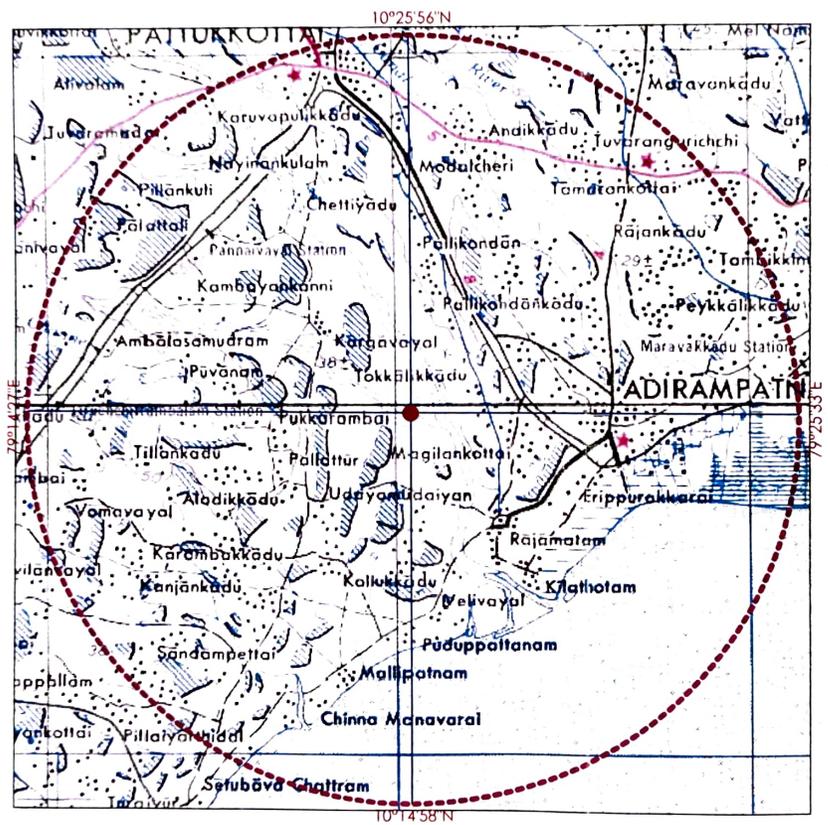


PLATE 1

APPLICANT:

THE EXECUTIVE ENGINEER,
PUBLIC WORKS DEPARTMENT, WRD,
MINES AND MONITORING DIVISION
THANJAVUR.



QUARRY LEASE APPLIED AREA

S.F.Nos : 8 & 9
EXTENT : 3.00.0 Ha
VILLAGE : CHINA AVUDAYAR KOVIL
TALUK : PATTUKOTTAI
DISTRICT : THANJAVUR

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TOPO SHEET No : 58 - N/07
LATITUDE : 10°20'23\"N to 10°20'33\"N
LONGITUDE : 79°20'00\"E to 79°20'05\"E
Q.L.APPLIED AREA



10KM RADIUS

Project Name	193
Applicant	Executive Engineer, Mines and Monitoring Division, Thanjavur
Location	China Avudayar Kovil, Pattukkottai Taluk, Thanjavur District
Extent	3.00.0 Ha
Scale	1:10000
Map No.	58-N/07
Sheet No.	193
Prepared by	[Signature]
Checked by	[Signature]
Approved by	[Signature]
Date	20/11/2011

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TOPO SKETCH OF QUARRY LEASE APPLIED AREA FOR 10Km RADIUS

SCALE- 1:10000

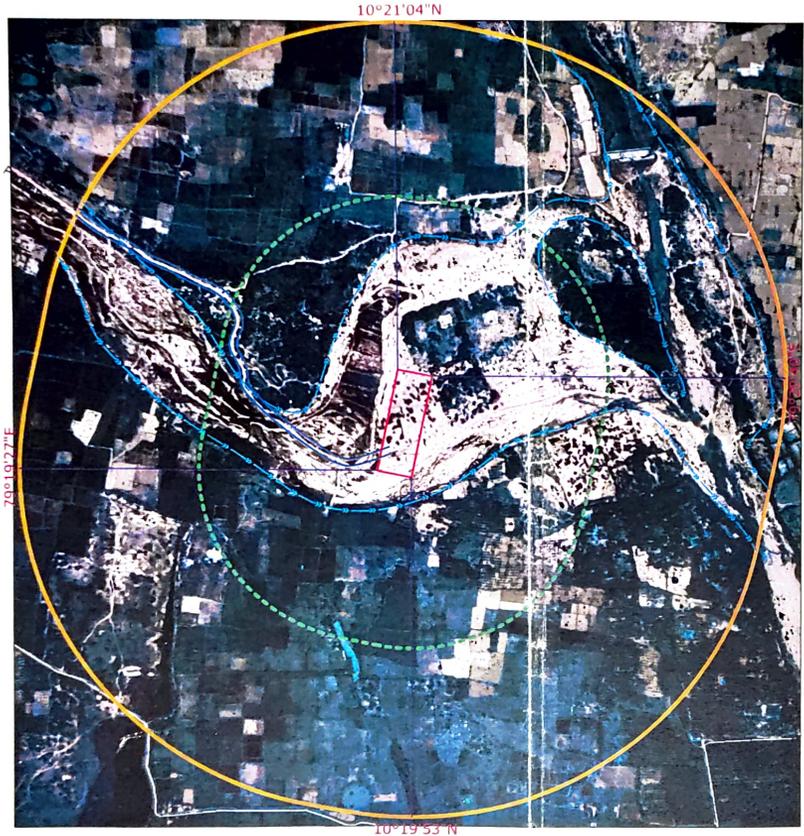
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[Signature]

A.ABDUL SALAM, M.Sc.,
RECOGNISED QUALIFIED PERSON
Reg.No.RQP/MAS/226/2011/A

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79°19'27\"/>

10°21'04\"/>

10°19'53\"/>

PLATE NO:IV



APPLICANT:
THE EXECUTIVE ENGINEER,
PUBLIC WORKS DEPARTMENT, WRD,
MINES AND MONITORING DIVISION,
THANJAVUR.

**LOCATION OF QUARRY
LEASE APPLIED AREA:**
S.F.Nos : 8 & 9

EXTENT : 3.00.0 Ha
VILLAGE : CHINA AVUDAYAR KOVIL
TALUK : PATTUKOTTAI
DISTRICT : THANJAVUR

INDEX

- Q.L.APPLIED AREA** 
- APPROACH ROAD** 
- 500M RADIUS** 
- 1KM RADIUS** 

SATELLITE IMAGINARY PLAN

SCALE- 1:10000

PREPARED BY:

OP
attest

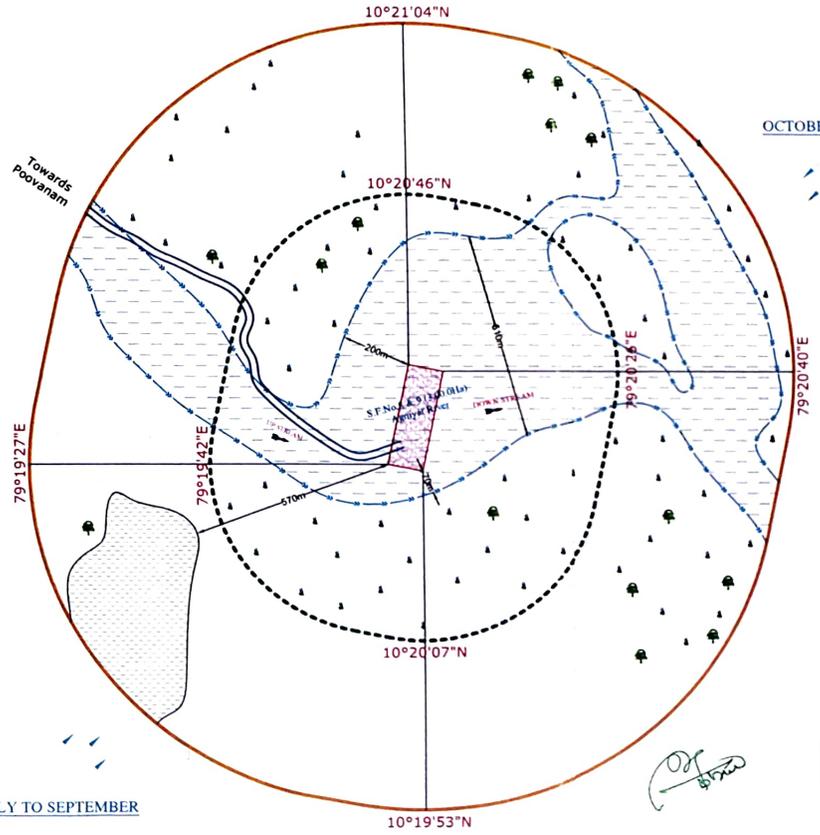
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CORRECT TO THE BEST OF MY KNOWLEDGE

A. Abdul Salam M.Sc.

A.ABDUL SALAM,M.Sc.
RECOGNIZED QUALIFIED PERSON
Reg.No ROP/MAS/228/2011/A

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OCTOBER TO DECEMBER

JULY TO SEPTEMBER

PLATE NO:V

APPLICANT:
 THE EXECUTIVE ENGINEER,
 PUBLIC WORKS DEPARTMENT, WRD,
 MINES AND MONITORING DIVISION,
 THANJAVUR.

LOCATION OF QUARRY LEASE APPLIED FOR:
 S.F. Nos : 8 & 9
 EXTENT : 3.00.0 Hectares
 VILLAGE : CHINA AVUDAYAR KOVIL
 TALUK : PATTUKOTTAI
 DISTRICT : THANJAVUR



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TOPO SHEET No : 58 - N/07
 LATITUDE : 10°20'23"N to 10°20'33"N
 LONGITUDE : 79°20'00"E to 79°20'05"E

- Q.L. APPLIED AREA BOUNDARY
- SAND
- 500m RADIUS
- 1km RADIUS
- APPROACH ROAD
- TREES
- BARREN LAND
- AGRICULTURAL LAND
- RIVER BUND
- LAKE

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ENVIRONMENTAL PLAN

SCALE - 1:10000

LAND USE PATTERN

DESCRIPTION	AREA IN (%)
ROAD	05
TREES	10
BARREN LAND	55
AGRICULTURAL LAND	10
LAKE	05
RIVER	15

Prepared By:

I DO HEREBY CERTIFY THAT THE PLATE HAS BEEN CHECKED BY ME AND IS CORRECT TO THE BEST OF MY KNOWLEDGE

(Signature)

A.ABUL SALAM, M.Sc.,
 RECOGNISED QUALIFIED PERSON
 Reg. No. RQP/MAJ/226/2011/A

196

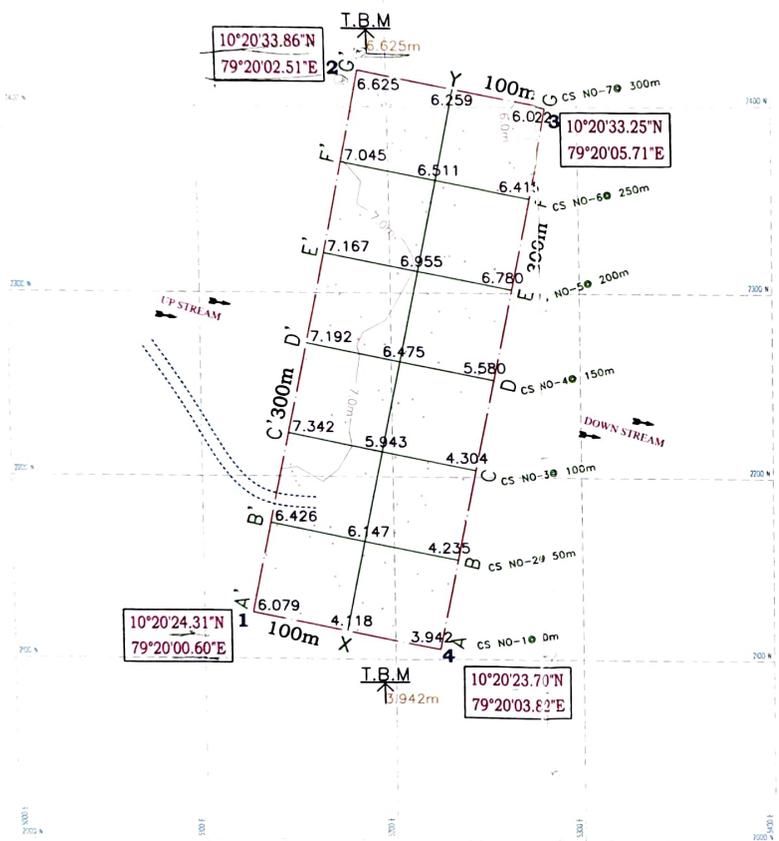


PLATE NO-VI



APPLICANT:
 THE EXECUTIVE ENGINEER,
 PUBLIC WORKS DEPARTMENT WRO,
 MINES AND MONITORING DIVISION,
 THANJAVUR.

QUARRY LEASE APPLIED AREA:
 S.F.Nos : 8 & 9
 EXTENT : 3.00.0 Ha
 VILLAGE : CHINA AVUDAYAR KOVIL
 TALUK : PATTUKOTTAI
 DISTRICT : THANJAVUR

INDEX

Q.L.APPLIED AREA	
APPROACH ROAD	
SAND	
CONTOUR	
LEVELS	
TEMPORARY BENCH MARK	3.942

**QUARRY LEASE, SURFACE,
 TOPOGRAPHICAL & GEOLOGICAL
 SECTION**
 Scale 1 : 2000

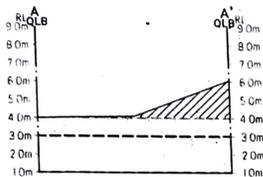
PREPARED BY:
 I DO HEREBY CERTIFY THAT THE PLATE
 HAS BEEN CHECKED BY ME AND IS
 CORRECT TO THE BEST OF MY KNOWLEDGE

 A.ABDUL SALAM M.SC.,
 RECORDED QUALIFIED PERSON
 Reg.No.RQP/MAS/226/2011/A

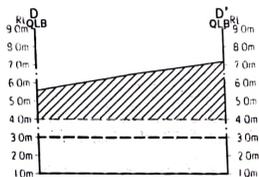
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PLATE NO-VI-A

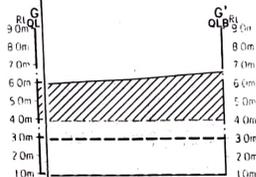
SECTION ALONG A-A'



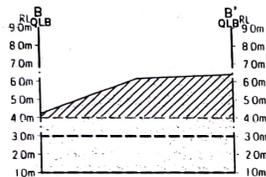
SECTION ALONG D-D'



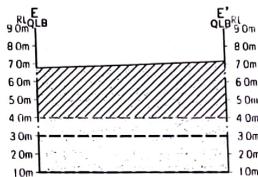
SECTION ALONG G-G'



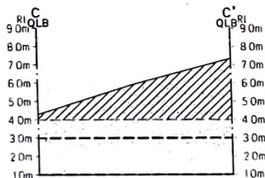
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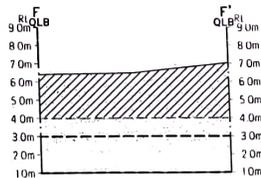
SECTION ALONG E-E'



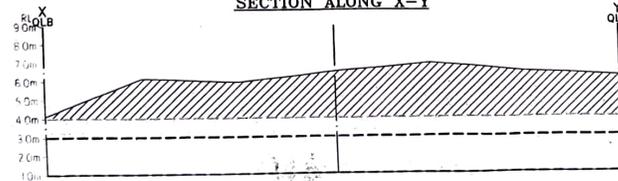
SECTION ALONG C-C'



SECTION ALONG F-F'



SECTION ALONG X-Y



GEOLOGICAL RESERVES	
ABOVE THEORETICAL RIVER BED LEVEL	
L 300m X W 100m X D 2.175m (Mean Shoal height)	= 65,278 Cu.m
BELOW THEORETICAL RIVER BED LEVEL	
L 300m X W 100m X D 3.0 m	= 90,000 Cu.m
GRAND TOTAL	= 1,55,278 Cu.m
MINEABLE RESERVES	
ABOVE THEORETICAL RIVER BED LEVEL	
L 300m X W 100m X D 2.175m (Max) (Mean Shoal height)	= 65,278 Cu.m
BELOW THEORETICAL RIVER BED LEVEL	
L 300m X W 100m X D 3.0 m	= 65,278 Cu.m
GRAND TOTAL	= 65,278 Cu.m
PROPOSED RESERVES	
ABOVE THEORETICAL RIVER BED LEVEL	
L 300m X W 100m X D 1.30m (Avg) (Mean Shoal height)	= 54,000 Cu.m
BELOW THEORETICAL RIVER BED LEVEL	
L 300m X W 100m X D 0.0 m	= 0 Cu.m
GRAND TOTAL	= 54,000 Cu.m

APPLICANT:
THE EXECUTIVE ENGINEER,
PUBLIC WORKS DEPARTMENT, (WRD),
MINES AND MONITORING DIVISION,
THANJAVUR.



QUARRY LEASE AREA
S.F.Nos : 8 & 9
EXTENT : 3.00.0 Ha
VILLAGE : CHINA AVUDAIKAR KOVIL
TALUK : PATTUKOTTAI
DISTRICT : THANJAVUR

INDEX

QUARRY LEASE APPLIED AREA	<input type="text"/>
THEORETICAL BED LEVEL	<input type="text"/>
DEPTH OF ESTIMATION	<input type="text"/>
GEOLOGICAL ESTIMATION	<input type="text"/>
RIVER SURFACE	<input type="text"/>
SAND	<input type="text"/>

QUARRY LEASE, SURFACE, TOPOGRAPHIC & GEOLOGICAL SECTION
SCALE SECTION HOR 1:2000,
VER 1: 200

PREPARED BY:

I DO HEREBY CERTIFY THAT THE PLATE HAS BEEN CHECKED BY ME AND IS CORRECT TO THE BEST OF MY KNOWLEDGE

A. ABDUL SALAM, M.Sc.,
RECOGNISED QUALIFIED PERSON
Reg. No. ROP/MAS/226/2011/A

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VEER SURENDRA SAI UNIVERSITY OF TECHNOLOGY, ODISHA
 P.O. Engineering College, Birla Siddhi Vihar, Dist. Sambalpur, Odisha 768010, India
 www.vssut.ac.in

TENDER CALL NOTICE
 No. VSSUT/ CIVIL / Equip / 2771 Date: 21.05.2018

Sealed Tenders are invited from the intending reputed Original Equipment Manufacturers/Direct Importers/Registered Dealers for supply of Equipment for different laboratories of Civil Engineering Department of VSSUT, Burla under AICTE MODROB Projects. Detailed information and the tender document are available in the University website www.vssut.ac.in

Sd/- REGISTRAR

Tamil Nadu Tourism Development Corporation Limited
 Tamil Nadu Tourism Complex, Walajpet Road, Chennai - 600 002
INVITATION FOR BIDS (NATIONAL COMPETITIVE BIDDING) TWO COVER SYSTEM
 Notice Inviting Bids Reference: TSSB/Engg/2018 dated 23.05.2018

For the Civil of Tamil Nadu Tourism Development Corporation Limited, experienced bidders under the bid system may tender for the two cover system for the project. The bidders should be registered with Public Works Department, Tamil Nadu Public Works Department for the State / Central Government Undertaking / Manufacturing Undertaking / Government of India Undertaking in the State and the bidders should also be registered with the State of Tamil Nadu for a bid system and with the State of Tamil Nadu for the bid system.

For the Project and Amount:

Project Name	Two Cover System	25.05.2018	17.05.2018
Amount	15.15 Hrs	15.15 Hrs	11.00 Hrs

Group, site, bid, tender, and contract documents are available at the office of the Project Director, Tamil Nadu Tourism Development Corporation Limited, Tamil Nadu Tourism Complex, Walajpet Road, Chennai - 600 002. The bidders should also be registered with the State of Tamil Nadu for a bid system and with the State of Tamil Nadu for the bid system.

For the Project and Amount, please visit our website www.tn-tourism.com and www.tenders.tn.gov.in. Further, any clarification, documents, and information should be sent to the Project Director, Tamil Nadu Tourism Development Corporation Limited, Tamil Nadu Tourism Complex, Walajpet Road, Chennai - 600 002.

Project Director
 Tamil Nadu Tourism Development Corporation Limited

GOVERNMENT OF TAMILNADU
PUBLIC WORKS DEPARTMENT
WATER RESOURCES DEPARTMENT
 Mining and Monitoring Division, Thanjavur

NOTIFICATION
 Government Advertisement No. 4 / JDO-2F/101 Sand / 2018 dated 23.05.2018

This is to inform that Environmental Clearance has been accorded to filling and Monitoring Division, Thanjavur for quarrying of sand in the below mentioned quarry in accordance with the District Level Environment Impact Assessment Authority. A District Letter No. 545 / DE/2018/Assessment/4325/2018 dated 17.05.2018 & Letter No. 3430E/AA-4/DA/2018/14339/2018 dated 17.05.2018.

Sr. No.	Taluk	Village	River	Survey No.	Area in Ha.	Quantity in m ³
01	Pattadakur	Chinna surudayar	Agrigal	8.9	3.00	24500

The Copies of the Environmental Clearance letter are available with the Thanjavur Pollution Control Board. It may also be given at website address of the DE/AA-4. Website address: www.arani.mintdclw.com

Executive Engineer, PWD/WRD,
 Mining and Monitoring Division, Thanjavur

PRD/107/Tender/2018

SYMBOLIC POSSESSION NOTICE

ICICI Bank
 ICICI Bank Limited

Registered Office: ICICI Bank Tower, Near Clock Circle, Old Madhav Road, Madhavaram, Chennai - 600 031
 Corporate Office: ICICI Bank Tower, Baroda, Kankaria Complex, Sarthi (2), Ahmedabad - 380 015
 Branch Office: ICICI Bank Ltd. & ICICI Finance Tower, Hojai Road, Hojai, Assam - 781 001

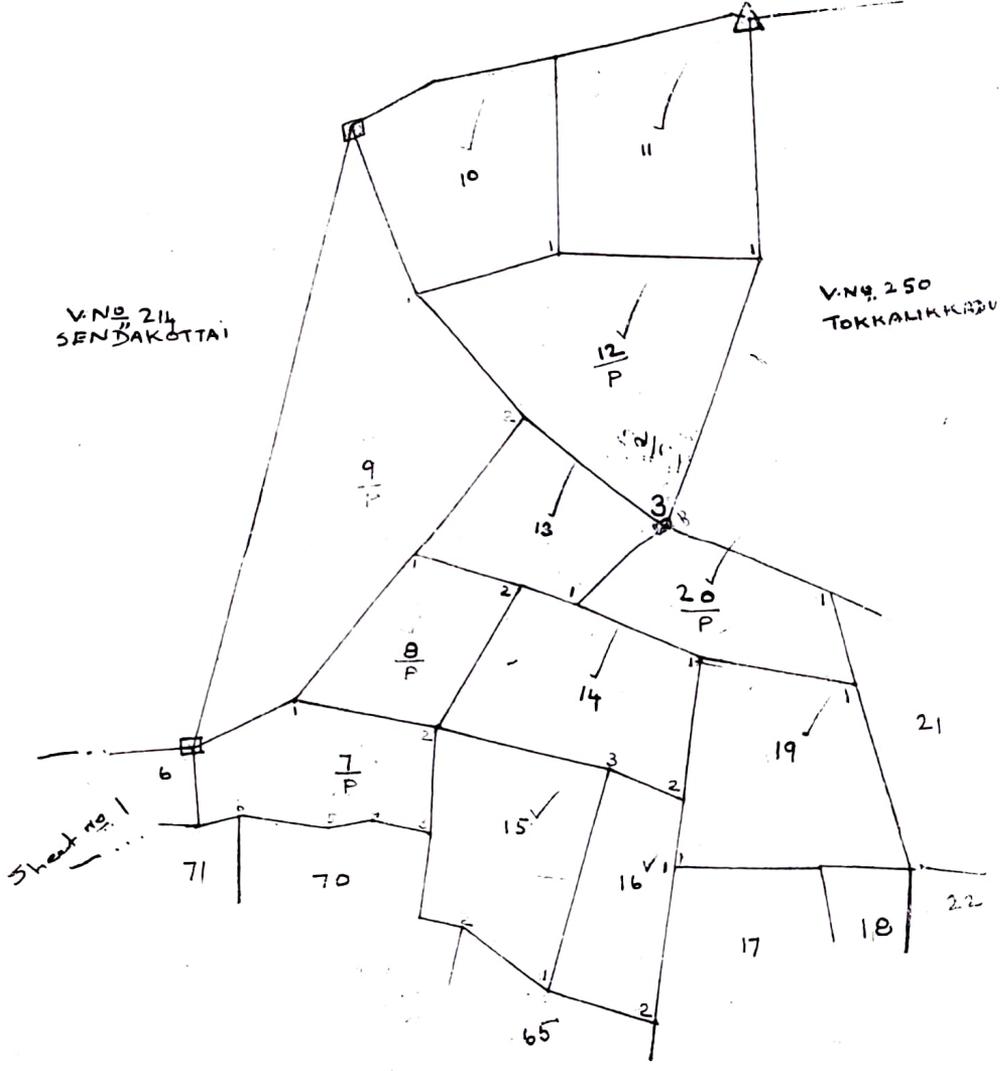
The undersigned being the Authorized Officer of ICICI Bank Limited under the Security Interest Restructuring Financial Assets and Enforcement of Security Interest Act, 2002 and in exercise of the powers conferred under section 13(12) read with Rule 3 of the Security Interest (Enforcement) Rules 2002, issued demand notice upon the borrower mentioned below, to repay the amount of the loan having taken symbolic possession of the property described herein below. The borrower having failed to repay the amount, notice is hereby given to the borrower and the public at large that the undersigned has taken symbolic possession of the property described herein below in pursuance of the powers conferred on him/her under Section 13(4) of the said Act read with Rule 8 of the Enforcement of Security Interest Rules 2002. The borrower in particular and the public in general is hereby cautioned not to deal with the property and any dealings with the property will be subject to the charge of ICICI BANK Limited.

Sr. No.	Name of the Borrower / Co-Borrower / Guarantor / Loan Account Number.	Description of Property / Date of Symbolic Possession	Date of Demand Notice Issued	Amount of Demand	Name of Borrower
1	NANDAGOPAL RAVANISHREE N. NEW NO. 40A RUMARAVOIL.	ANNEXURE 'A' PARTICULARS OF SECURED PROPERTY: Property Situated at the place and parcel of land measuring to the extent of 6648 Sq. ft. with measurement of East West 135 ft. and South North	27.04.2018	Rs. 22744434	100%

ARANI MUNICIPALITY
 Open Tender Notice Date: 21.05.2018
 Ref No 999 / 2016 / E3
 The Commission, Arani Municipality is invited to the tender for the following works in the Commission. Arani Municipality is invited to the tender for the following works in the Commission. Arani Municipality is invited to the tender for the following works in the Commission.

சென்னை - 146. திருவள்ளூர் மாவட்டம் சேலம் ஜில்லா SHEET NO. 1

Compared by
[Signature]
17.4.03.



V. No. 214
SENJAKOTTAI

V. No. 250
TOKKALIKKADU

Sheet no. 1

- 2 -
மாண்புமிகு
M. சாமிநாதன்

மாண்புமிகு
153, அகிலம் பட்டினம்
பட்டுக்கோட்டை வட்டம்

201
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Annexure - 4

**IN THE NATIONAL GREEN
TRIBUNAL, (SZ) CHENNAI**

OA No. of 2022 (SZ)

WP

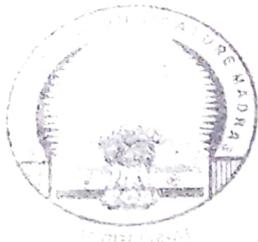
Vakalath

Counsel for APPLICANT

M/s. S.KAMALESHKANNAN

Ms. 1754/2010

D. Balakrishnan
x



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.09.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR
and
THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.15827 of 2014



WEB COPY

A.Balasubramanian

... Petitioner

Vs.

- 1.State Level Environment
Impact Assessment Authority
Tamil Nadu
3rd Floor, Panagal Maaligai
No.1, Jeenis Road,
Saidapet, Chennai - 15.
- 2.The District Collector,
Thanjavur.
- 3.The Revenue Divisional Officer,
Pattukottai, Thanjavur District.
- 4.The Tahsildar,
Pattukottai, Thanjavur district.
- 5.The Executive Engineer,
Akkini Aaru Basin Division,
Pattukottai,
Thanjavur District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 to 5 not to carry out sand quarrying operation in Survey No.1, Tokkalikkadu Village, Pattukkottai Taluk, Tanjore district based on the representation of the Villagers dated 30.03.2013, 14.10.2013, 08.11.2013 and 23.08.2014.

For Petitioner	: Mr.B.Prasanna Vinoth
For R - 1	: Mr.G.R.Swaminathan
For RR - 2 to 5	: Mr.K.Chellapandian Addl.Advocate General assisted by Mr.M.Govindan Special Government Pleader

ORDER

(Order of the Court was made by R.SUDHAKAR, J.)

<https://hcservices.ecourts.gov.in/hcservices/>

This writ petition has been filed to direct the respondents 1 to 5 not to carry out sand quarrying operation in Survey No.1, Tokkalikkadu

Village, Pattukkottai Taluk, Tanjore district based on the representation of the villagers dated 30.03.2013, 14.10.2013 08.11.2013 and 23.08.2014.

2.The learned Additional Advocate General states that quarrying operations have been done only after getting permission from the competent authority and produced a copy of the proceedings made in Rb.No.174 Mines/2013 dated 14.06.2015, in that regard.

3.Recording the same, this writ petition is closed. No costs. Connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar.

To

- 1.The State level Environment Impact Assessment Authority, Tamil Nadu,
3rd Floor, Pangal Maligai, No.1 Jeenis Road,Saidapet, Chennai-15
- 2.The District Collector,
Thanjavur.
- 3.The Revenue Divisional Officer,
Pattukottai, Thanjavur District.
- 3.The Tahsildar,
Pattukottai, Thanjavur district.
- 4.The Executive Engineer,
Akkini Aaru Basin Division,
Pattukottai,
Thanjavur District.

+1CC to The Special Government Pleader SR.No.57500.

Writ Petition (MD) No.15827 of 2014
29.09.2015

AM/12.10.2015/SK.SKN/SAR-II/2P/6C

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.10.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.(MD) No.4984 of 2018

A.Balasubramanian

... Petitioner

-vs-

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Superintendent of Police,
Thanjavur District,
Thanjavur.

3.The Government of Tamil Nadu,
Represented by the
Additional Chief Secretary of Tamil Nadu,
Industries Department, Fort Saint George,
Chennai - 600 009.

4.The Commissioner of Geology and Mining,
Guindy, Chennai.

5.The State Level Environment Impact Assessment Authority,
Tamil Nadu,
3rd Floor, Panagal Maligai No.1, Jeenis Road,
Saidapet, Chennai - 15.

... Respondents

(R3 to 5 are suo motu impleaded
vide Court order dated 08.03.2018
made in WP(MD) No.4984 of 2018)

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st and 2nd respondent to constitute a special team of Police officials permanently to prevent the illegal quarrying of sand by bullock carts in S.No.112 of Maliyakadu, S.No.9 and 12 of chinna Avudayar Kovil Village, S.No.1 of Thokkalikadu Village, S.No.1, 4 and 5-1 Rajamadam village.

For Petitioner : M/s.R.Yamuna
For Respondents 1 to 4: Mr.A.K.Baskara Pandian
Special Government Pleader
For 5th Respondent : Mr.N.Shanmugaselvam

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

This Writ Petition has been filed, seeking a direction to the respondents 1 and 2 to constitute a special team of Police officials permanently to prevent the illegal quarrying of sand by bullock carts in S.No.112 of Maliyakadu, S.No.9 and 12 of Chinna Avudayar Kovil Village, S.No.1 of Thokkalikadu Village, S.No.1, 4 and 5-1 Rajamadam village.

सत्यमेव जयते
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2.The grievance of the petitioner is that with respect to continued, unabated illegal mining. In the counter affidavit filed by respondent No.1, it is stated as follows:

"10. In the above circumstances, it is most respectfully submitted that effective and stringent action is being taken by the District Administration to arrest the illicit quarrying and transportation of minerals and thus a total of 247 vehicles and 354 bullock carts have been seized and a penalty of Rs.1,08,32,475/- (one crore eight lakh thirty two thousand four hundred and seventy five only) have been realized from the month of April 2018 to September, 2018. Apart from that, 309 criminal cases have been filed against offenders indulged in illicit quarrying and transportation of minerals for the period from 01.01.2018 to 15.10.2018 and one person was booked under goondas act. Further all the areas prone for illegal sand mining is being under constant vigil by forming special teams and effective seizure of vehicles indulged in illicit transportation of sand. In addition to that all the enforcement authorities have been directed to have constant vigil over the areas so as to arrest the illicit menace entirely in the district."

3. The learned counsel appearing for the petitioner would submit that it is followed more in letter and breach more in practise. Even today the illegal mining activities are unabated.

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4. We have dealt a with similar matter in W.P.(MD) No.19936 of 2017. In the aforesaid writ petition we have passed general directions. In the light of the above, this Writ Petition is disposed of directing respondent No.1 to strictly comply with the orders of this Court dated 29.10.2018 made in W.P.(MD) No.

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19936 of 2017. In the event of any violation, it is open to the petitioner to file contempt petition before this Court. No costs.

[M.M.S.,J.] [N.S.K.,J.]

30.10.2018

Index : Yes / No

Internet : Yes / No

sj

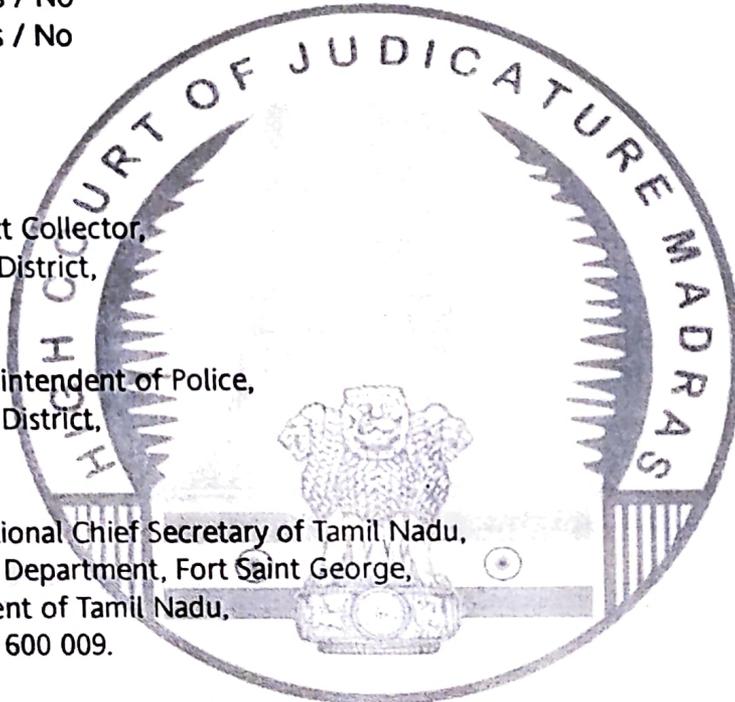
To

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Superintendent of Police,
Thanjavur District,
Thanjavur.

3.The Additional Chief Secretary of Tamil Nadu,
Industries Department, Fort Saint George,
Government of Tamil Nadu,
Chennai - 600 009.

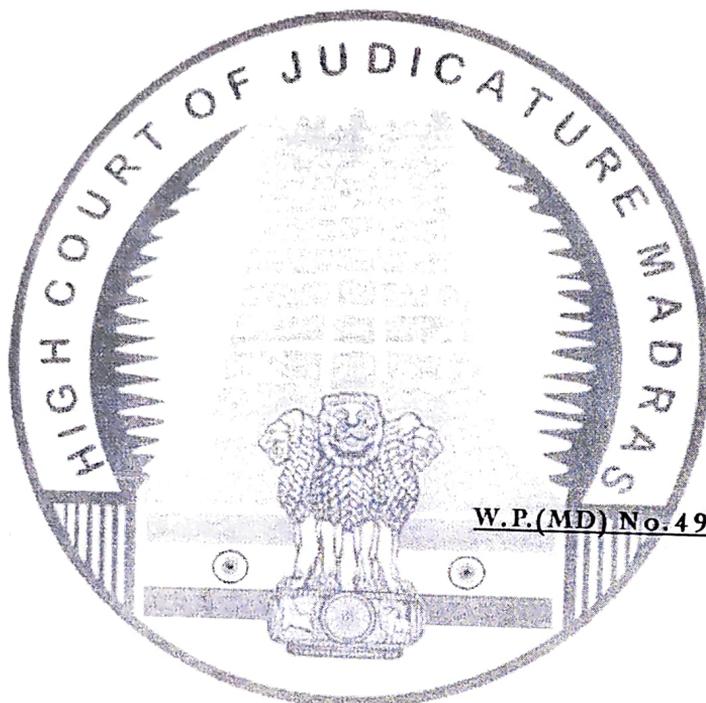
4.The Commissioner of Geology and Mining,
Guindy, Chennai.



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M.M.SUNDRESH, J.
and
N.SATHISH KUMAR, J.

sj



W.P.(MD) No.4984 of 2018

सत्यमेव जयते

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Item No.09:

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

Original Application No. 161 of 2020 (SZ)

(Through Video Conference)

IN THE MATTER OF

Tribunal on its own motion SUO MOTU
Based on the News item in the Times of India Newspaper,
Chennai Edition dated 28.08.2020, "Thanjavur admin
warns of action, but illegal sand mining still thrives".

Versus

...Applicant(s)

1. The Principal Secretary to Government,
Public Works Department,
Govt. Secretariat, Fort St. George,
Chennai, Tamil Nadu - 600 009.
2. The Additional Chief Secretary to Govt. of Tamil Nadu,
Revenue and Disaster Management Department,
Govt. Secretariat, Fort George
Chennai, Tamil Nadu 600 009.
3. The Secretary to Govt. of Tamil Nadu,
Department of Environment,
Govt. Secretariat, Fort St. George,
Chennai, Tamil Nadu - 600 009.
4. Department of Geology and Mining
Rep. by its Director,
Alandur Road, Industrial Estate,
Guindy, Chennai 600 032.
5. Department of Geology and Mining,
Rep. by its Assistant Director,
Thanjavur 613 010.
6. The District Collector,
Thanjavur District,
Collectorate,
Thanjavur - 613 010.

7. The Tahsildar,
Pattukottai Taluk,
Taluk Office, Muthupet,
Thangavel Nagar, Pattukottai,
Thanjavur 614 602.

8. The Municipal Commissioner,
Pattukottai Municipality,
56-1, Naadimuthu Nagar,
Pattukottai, Thanjavur 614 601.

...Respondent(s)

For Applicant(s): Suo Motu by Court.

For Respondent(s): Sri. S.R. Rajagopal, Addl. Adv. General along with
Sri. Vijay Prasanth Spl. Govt. Pleader for R1 to R8.

Date of Judgment: 17th November, 2020.

CORAM:

HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER

HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER

Whether the Judgement is allowed to be published on the Internet – Yes/No

Whether the Judgement is to be published in the All India NGT Reporter – Yes/No

JUDGMENT

1. The above case has been Suo Motu registered by this Tribunal on the basis of the newspaper report published in The Times of India, Chennai Edition dated, 28.08.2020 under the caption "*Thanjavur admin warns of action, but illegal sand mining still thrives.*"
2. It is alleged in the newspaper report that illegal sand mining is thriving in Pattukottai Taluk of Thanjavur District. Though, the administration warned of strict action against those engaged in

such illegal activities, in practice that is not fruitful and it still continues.

3. It is also alleged in the newspaper report that there were some instance of seizing of some vehicles involved in such illegal sand mining and also some criminal cases were registered. But in spite of such measures taken, such things are happening. They have also published a photograph showing the presence of number of bullock carts which according to them are involved in illegal sand mining and transporting illegally mined sand.
4. It is also seen from the newspaper report that there was a ban order passed by the Hon'ble High Court of Madras at Madurai Bench regarding sand mining in the river bed or canal bed in the district.
5. It is also seen from the newspaper report that as many as 600 vehicles and 370 bullock carts were seized which were involved in such illegal mining activities and 887 First Information Report (FIR) have been registered in the previous year and 526 in the present year in respect of such incidents and despite this illegal sand mining was continuing.
6. In order to ascertain the genuineness of the allegations made in the newspaper report, we have appointed a Joint Committee comprising of (1) the District Collector, Thanjavur District or a Senior Officer not below the rank of Assistant Collector or Sub Divisional Magistrate as deputed by the District Collector, (2) the Superintending Engineer, Public Works Department (PWD) and Water Resources Organisation (WRO) and (3) the Director or a Senior Officer from the Office of the Director, Geology and Mining to inspect the area in question and submit a factual as

well as action taken report, if there is any violation found including the mechanisms that is being adopted by the District Administration to check such illegal activities which is required for protecting the natural resources like river, sand, etc.

7. We have mentioned in the order that they can also ascertain as to whether any provision has been made to install CCTV cameras in such areas so as to trace out the persons who are involved in such activities and bring them before court of law quickly. They have been directed to give the details regarding the number of cases registered, number of vehicles seized and the amount of penalty or environmental compensation imposed against them for releasing the vehicles and also for extracting sand and making unlawful gain by using such mined sand, after ascertaining the quantity which they have mined. They are also directed to suggest the ways and means to effectively curb such activities to protect natural resources against illegal exploitation causing loss to the exchequer.
8. The Public Works Department (PWD) was designated as the nodal agency for co-ordination and also for providing necessary logistics for that purpose.
9. When the matter came up for hearing today through Video Conference, Sri. S.R. Rajagopal, Additional Advocate General along with Sri. Vijay Prasanth, Special Government Pleader represented respondents 1 to 8.
10. Sri. S.R. Rajagopal, the learned Additional Advocate General appearing for the respondents submitted that the committee had already submitted the report and necessary directions have been issued to be vigil on these aspects to curb illegal activities as

alleged in the newspaper report.

11. We have received the status report submitted by the Joint Committee which reads as follows:-

"Status Report filed by the Joint Committee comprising of Sub - Collector Pattukottai, The Executive Engineer PWD, WRO, Agniyaru Division Pattukottai and the Assistant Director, Department of Geology and Mining, Thanjavur.

It is respectfully submitted that the Hon'ble National Green Tribunal Southern Zone Chennai has been registered OA No. 161/2020 on Suo Motu based on Newspaper report in the 'Times of India' Chennai Edition dated: 28.08.2020 under the caption "Thanjavur admin warns of action, but illegal sand mining still thrives"

2. It is respectfully submitted that in the order dated: 01.09.2020 the Hon'ble National Green Tribunal ordered to appoint a Joint Committee comprising of the 1) District Collector, Thanjavur District or a Senior Officer not below the rank of Assistant Collector (or) Sub - Divisional magistrate deputed by the District Collector 2) Superintending Engineer PWD, WRO. 3) The Director or a Senior Officer from the Office of the Director of Geology and Mining to inspect the area in question and submit a factual as well as action taken report, if there is any violation found.

3. It is respectfully submitted that after receipt of the order dated: 01.09.2020 the District Collector has instructed the Sub Collector - Pattukottai and the Executive Engineer PWD, WRO, Agniyaru Basin Division to form a Joint Committee along with the Assistant Director of Geology and Mining Thanjavur vide his letter Rc.No. 367/Mines/2020 dated: 08.09.2020. Accordingly the Joint Committee has been formed and the areas reported in News Paper have been inspected jointly by the committee on 28.09.2020 and 29.09.2020 along with Revenue and Public Works Department officials. Further the Sub Collector - Pattukottai convened a meeting on 01.10.2020 at 10.00 AM in the office of the Sub Collector - Pattukottai regarding the action taken on this issue.

4. It is respectfully submitted that the Joint Committee has inspected the area mentioned in the Times of India News paper namely Maharaja Samuthiram and the areas suspected for illegal mining situated in and around the Pattukottai Taluk such as Periyakkottai, Gobalasanguthiram and Sirankudi Villages. During inspection the committee has found that Sand mixed with Earth has been quarried illegally from Periyakkottai Periya Eri padugai and Vikramam Manchaneri padugai and stocked in the patta lands of the above said Villages in the form of heaps in various sizes. The committee has also detected that the Sand mixed with Earth has been purified by

the way of Washing and sold it illegally to the needy. Around 125 Units of Washed Sand and 1859 Unit of Earth have been seized by the inspecting authorities. The said quantity of Sand was handed over to the Executive Engineer, PWD, Mining and Monitoring Division, Thanjavur for further action. Based on the inspection report 19 FIR, were registered against the persons who have involved in such illegal activities and also seized One Tractor and one Lorry during inspection.

5. In respect of Thanjavur District, the details of seizure of the illegal sand vehicles, number of FIR filed, number of cases booked under Goondas Act and penalty amounts imposed for the years from 2019-2020, 2020-2021 (up to September) have been tabulated

Sl No	Year	Illicit quarrying / storage of Sand detected	No. of vehicles seized for illegal transportation of Sand		No. of FIR Filed	No. of cases booked under Goondas Act.	Penalty collected (in Rs)	
			Vehicles	Bullock carts			Penalty	Penalty collected through court orders
1	2019-2020 (Annex - I)	3	611	378	887	3	72,565	1,42,98,423
2	2020-2021 (up to September) (Annex - II)	21	418	648	866	1	42,082	14,11,000
TOTAL		24	1029	1026	1753	4	1,14,647	1,57,09,423

6. It is respectfully submitted that, effective and stringent action is being taken by the enforcing authorities of Revenue, Police and Department of Geology and Mining so as to curb illegal quarrying and transportation of Minerals. As submitted above a total of 418 number of Vehicles and 648 number of Bullock Carts have been seized and a Penalty of Rs.14,53,082/- (Rs. Fourteen Lakhs Fifty Three Thousand and Eight Two Only) have been realized from the month of April 2020 to September 2020. Apart from that, 866 Criminal Cases have been filed against offenders indulged in illicit Quarrying and Transportation of Minerals for the period from April 2020 to September 2020 under section 379 I.P.C along with 21(1) of Mines and Minerals (Development and Regulation) Act 1957. Also one person was detained under Goondas Act.

7. It is respectfully submitted that 3 habitual offenders have been booked under Goondas Act in Thanjavur District for the illegal quarrying and transportation of minerals during the year 2019-2020 and one person has been booked under Goondas Act during the year 2020 - 2021. The details are submitted below.

DETAILS ON THE CASES BOOKED AGAINST THE SAND OFFENDERS UNDER GOONDAS ACT				
YEAR 2019 - 2020				
SL No	Name of the persons booked under Goondas act	Proceedings of the District collector and Date	Details of the offence committed	whether the offenders arrested or not
1	C.Rocket Raja, S/o. Chandran, Main Road, Salaikara Street, Mariyamman Koil, Thanjavur Taluk, Thanjavur District.	The Court of the District Collector and District Magistrate, Thanjavur Order No. P.D.No.35/2019, Dated: 25.11.2019	Sand Offender	Accused in the Central Prison, Tiruchirappalli as a remand Prisoner (Annex - III)
2	R.Sarathkumar, S/o. Rajakanuu, Adidraavidar Theru, Keela Kalakudi, Papanasam Taluk, Thanjavur District.	The Court of the District Collector and District Magistrate, Thanjavur Order No. P.D.No.42/2019, Dated: 16.12.2019	Sand Offender	Accused in the Sub - Jail, Papanasam as a remand Prisoner (Annex - IV)
3	G.Panni krishnamoorthy @ Krishnamoorthy, S/o. Govindaraj, Saliyakulakarai, Mariyamman Koil, Thanjavur Taluk, Thanjavur District. Now at: Kannithoppu, Aalakudi Village, Papanasam Taluk	The Court of the District Collector and District Magistrate, Thanjavur Order No. P.D.No.02/2020, Dated: 12.01.2020	Sand Offender	Accused in the Central Prison, Tiruchirappalli as a remand Prisoner (Annex - V)
YEAR 2019 - 2020 (Upto September)				
4	G. Visvanath S/o. Govindaraj, Periya Theru, Kudalur, Thanjavur Taluk, Thanjavur District	Proceedings of the District Collector and District Magistrate, Thanjavur Order No. P.D.No.49/2020, Dated: 31.08.2020	Sand Offender	Accused in the Sub jail, Pattukottai as a remand Prisoner (Annex - VI)

8. It is respectfully submitted that nine check posts have already been established in the District Border and also the places where ever necessary and they are functioning properly and effectively.

The details are submitted below. (Annex - VII)

SL. No	Jurisdiction Police Station	Name of the Check Post	Dist. Border
1.	Vallam	Arputhpuram	Pudukkottai
2.	Thiruvaiyaru	Vilangudi	Ariyalur
3.	Thogur	Kallanai	Trichy
4.	Sengipatti	Puthugudi	Trichy

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5.	Sb- Chathiram	Vilangulam	Pudukkottai
6.	TC-Balam	Avanam	Pudukkottai
7.	Swamimalai	Neelathanallur	Ariyalur
8.	Thiruppanandal	Annaikarai	Ariyalur
9.	Thiruneelagudi	S-Pudur	Nagapattinam

9. It is humbly submitted that, to further strengthen the monitoring mechanism against the illegal sand transportation closed circuit television cameras are installed in important Check Posts. In this regard it is submitted that the camera was installed in Avanam Check - Post, Pudukudi Check - Post, Vilankulam Check - Post, Neelathanallur Check - Post, Anaikarai Check - Post, Arputhapuram Check - Post and S.Pudhur Check - Post in Thanjavur District and thereby all officials who are in-charge in Check - Posts keenly monitor the vehicle movement round the clock to prevent the illegal sand transportation.

10. It is respectfully submitted that the District Collector Thanjavur has directed during the course of District Level Task Force Committee Meetings, the enforcing authorities i.e., Revenue Department, Police officials, Public Work Department and Department of Geology and Mining Officials to take stringent and immediate action against illegal quarrying and transportation of minerals. Further it has been directed to have constant vigil over the areas of river beds of Thanjavur District so as to arrest the illicit menace if any. As such all the areas are under constant vigil and the illicit quarrying and transportation of mineral have been brought under control.

11. It is respectfully submitted that various measures and decisions had been taken by the Taluk Level Task Force Committee for effective seizure of vehicles indulged in Illicit quarrying and transportation of minerals by forming special teams comprising of Deputy Tahsildars, Revenue Inspectors, Village Administrative Officers and Village Assistants. Further it is submitted that the access to the river beds have been blocked by forming deep trenches (Annex - VIII) by the Public Work Department and criminal cases have also been filed by the Police Department against the offenders involved in illicit quarrying and transportation of minerals.

12. It is respectfully submitted that every Monday the weekly performance of the enforcing authorities i.e., Sub

collector, Revenue Divisional officers, Tahsildars, all Deputy Superintendent of Police, Geology and Mining officials and Public Works Department officials are being critically reviewed by the District Collector and strict instructions have been issued to them for effective monitoring and prevention of illicit quarrying and transportation of minerals within their respective jurisdiction.

13. It is respectfully submitted that, frequent surprise raids comprising of Revenue, Police, Mines and Public Works Department officials individually as well as jointly are being carried out during the day time as well as in night times so as to arrest the illicit removal of sand and the area is under constant vigil and the illegal quarrying and transportation of sand has been brought under control.

14. It is respectfully submitted that the Hon'ble NGT has directed to submit nature of mechanism adopted to prevent illegal quarrying. As per the direction we submit the following points for favour of consideration.

The Parliament had enacted Mines and Minerals (Development and Regulation) Act, 1957 to control the entire mineral administration in the Country. Under section 21 of the Act, necessary provisions have been made for effecting seizure of vehicles and mineral involved in illicit mining and transportation.

Delegations of powers have been given by the Government under section 21 of the Mines and Minerals (Development and Regulation) Act, 1957, as follows:-

- a. Powers have been delegated to the persons holding the post of Revenue Inspector (Mines) to the level of District Collector for effecting seizure of vehicles involved in illicit transportation and to effect seizure of minerals quarried/mined illegally (vide G.O.Ms.No.167 Industries (MMC) Department, dated 16.06.1994.) (Annex - IX)
- b. Powers have been delegated to Revenue Department, Divisional Officer in their jurisdiction to effect not only seizure but to levy penalty to the offender (vide G.O.Ms.No.4 Industries Department, dated 02.01.1998.) (Annex - X)
- c. Inherent powers are available to Police personnels for effecting seizure of vehicles and for filing cases in consultation with other departments like Revenue and Mines. Particularly, powers have been delegated to the personnel holding post of Inspector of Police and above to effect provision of Goondas Act on the sand offenders i.e., on the persons involved in illicit quarrying/transportation of sand (Act No.16/2006). (Annex - XI)

- d. The Government constituted a State Level Task Force to monitor various mining activities and to prevent illegal mining in the State under the Chairmanship of the Secretary to government, Industries Department (vide G.O.Ms.No.33 Industries (MMA.1) department, dated 15.03.2006). (Annex - XII)
- e. Periodical meetings are conducted by concerned Tahsildars in respect of review of cases of illicit quarrying/transportation of minerals within their geographical jurisdiction i.e., Taluk level Task Force committee meeting twice in a month (vide G.O.135 Industries (MMA.1) department, dated 13.09.2009). (Annex - XIII)
- f. Similarly, periodical meetings are conducted by concerned District Collectors and review the progress of Taluk level Task Force committee and send a periodical report to High level committee/Appellate Forum through the Director of Geology and Mining (vide G.O.135 Industries (MMA.1) department, dated 13.09.2009).
- g. It is further submitted that approved sand quarry is functioning especially for bullock carts at S.F.No.8 & 9 Agniyar river over an extent of 3.00.0 Hect. in Chinna Avudaiyar koil Village in Pattukkottai Taluk granted vide District Collector, Thanjavur Proceedings in R.C.No. 280/Mines/2018 Dated : 10.02.2020 operating by the Executive Engineer, Public Works Department, Mining and Monitoring Division, Thanjavur. The sand mining area is situated closer to the Maharajasamuthiram river bed. The bullock carts photos published in the 'Times of India' Newspaper dated 28.08.2020 has taken when the bullock carts & carts rider taking rest & feeding water in the river bed by cattle. Hence, The sand being taken from approved sand quarry functioning in the Chinna Avudaiyar koil village for sales to the public by bullock carts.

Therefore, it is most respectfully prayed that this Honb'le National Green Tribunal may be pleased to accept this report and thus render justice."

12. On going through the reports, it is seen that prompt action is being taken by the authorities, whenever it is brought to their knowledge about the illegal mining. It is also seen from Para 14 of the report that certain steps have been taken and directions issued to monitor such activities. Further, it is also seen from Para 9 of the report that to further strengthen the monitoring mechanism against illegal sand transportation, CCTV cameras

have been installed in important check posts. Cameras were also installed in Avanam Check Post, Pudukudi Check Post, Vilankulam Check Post, Neelathanallur Check Post, Anaikarai Check Post, Arputhapuram Check Post and S. Pudhur Check Post in Thanjavur District.

13. The learned Additional Advocate General also submitted that necessary steps have been taken to install CCTV cameras in the mining areas. Certain photographs were also produced along with the report showing the installation of CCTV cameras in certain areas covering certain places where it is likely to happen and also roads through which it is likely to be carried for the purpose of monitoring the same.
14. So under such circumstances, we feel that the application can be disposed of by giving certain directions to the authorities to curb illegal sand mining.
15. So, the application is disposed of as follows:-
 - (i) The concerned departments namely, Mining Department, District Administration and Police Department are directed to comply strictly with the directions given by the committee in Para No.14 of the report so as to monitor the illegal sand mining and take action against those persons who are responsible for the same.
 - (ii) If the CCTV Cameras have not been installed in the places where the mining is going on or possibility of illegal mining is likely to occur namely along the river bed, then the District Administration as well as the concerned

departments are directed to take steps to install considerable number of CCTV cameras in those areas so as to make the monitoring more effective and also to take action against them in accordance with law.

(iii) The Police Department as well as the District Administration and Mining Department are directed to make periodical inspections of those areas and provide all strict measures to monitor even the permitted mining activities to be carried out in a proper way and to avoid any possibility of committing any violation and doing illegal mining by those persons who have been permitted by the authorities to do mining in accordance with law as well.

(iv) They must also provide certain mechanism to monitor the loading of sand in the vehicles or bullock carts which were permitted by providing necessary passes so as to check as to whether proper quantity of sand permitted alone is being quarried and being transported by those persons.

(v) The authorities are also directed to register the mechanized vehicles which are likely to be used for transportation of such mined articles and provide necessary GPS system in them so as to track the movement of the mechanized vehicles so as to ascertain as to whether this is being used for any illegal purpose other than permitted

purpose.

- (vi) The Registry is directed to communicate this order to concerned departments so as to enable them to comply with the direction.

16. With the above directions and observations, this application is disposed of.

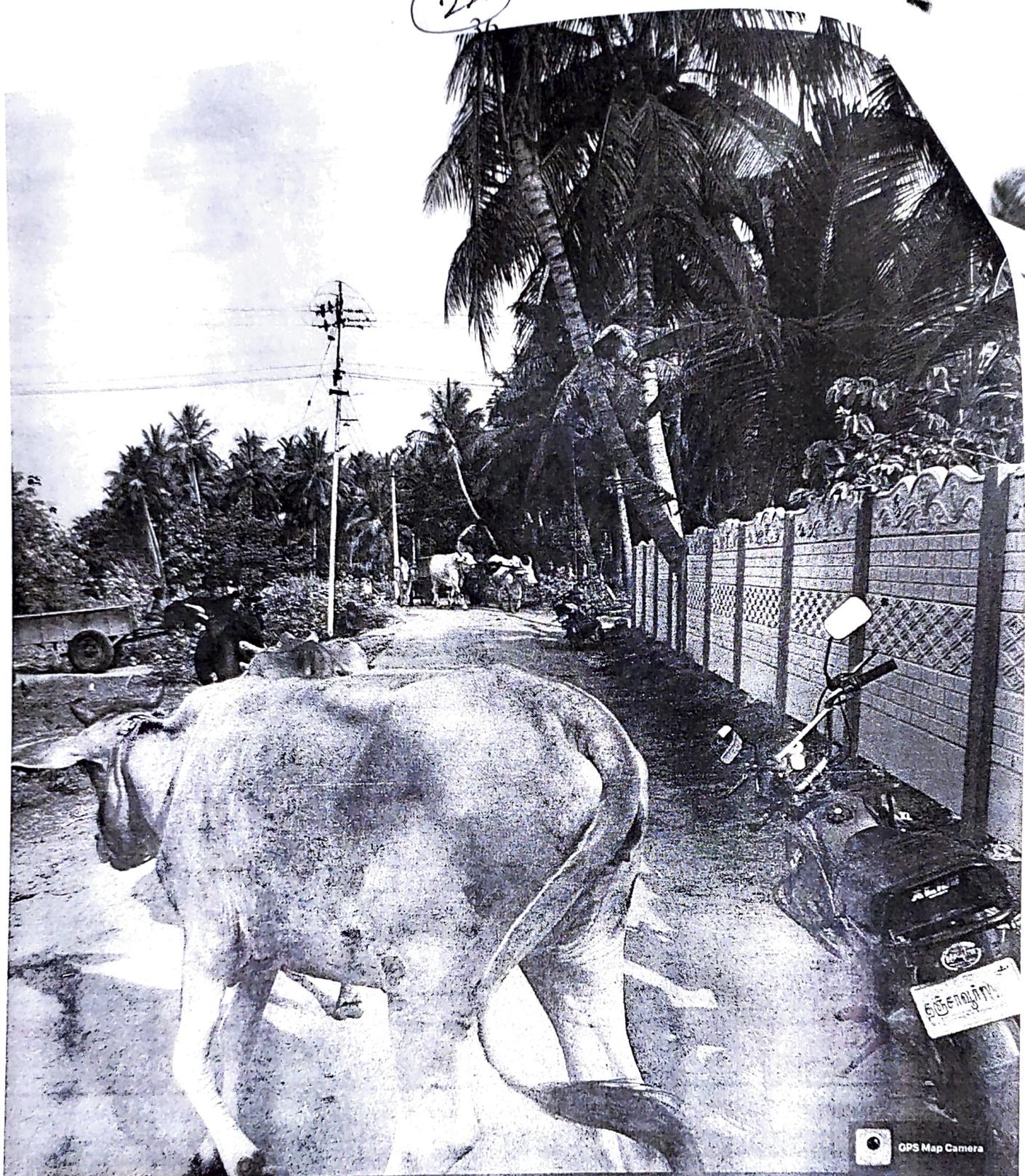
गन्तव्यं जयते

.....J.M.
(Justice K. Ramakrishnan)

.....E.M.
(Shri. Saibal Dasgupta)

O.A. No.161/2020
17th November, 2020. Mn.

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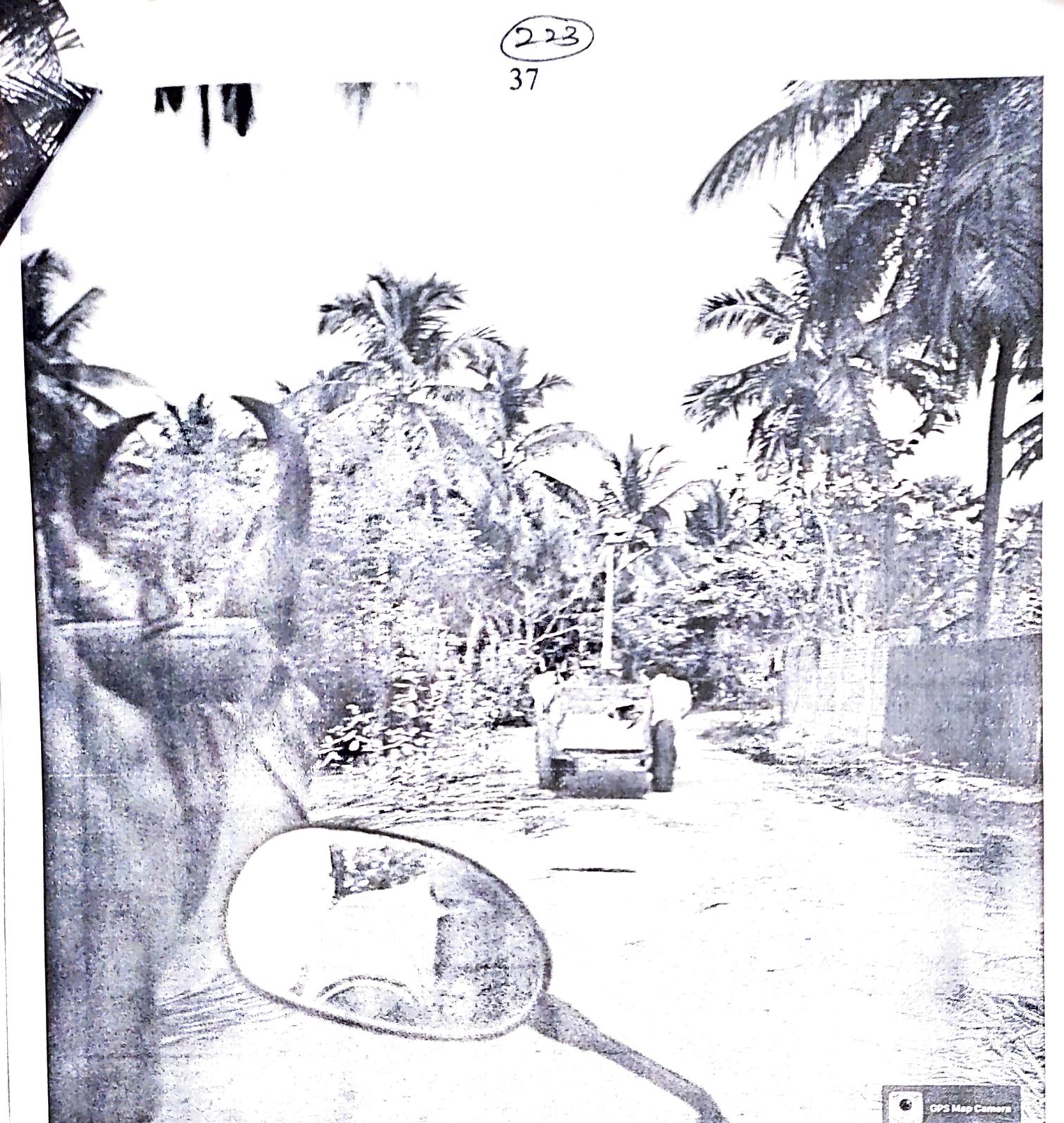


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Thanjavur, Tamil Nadu, India

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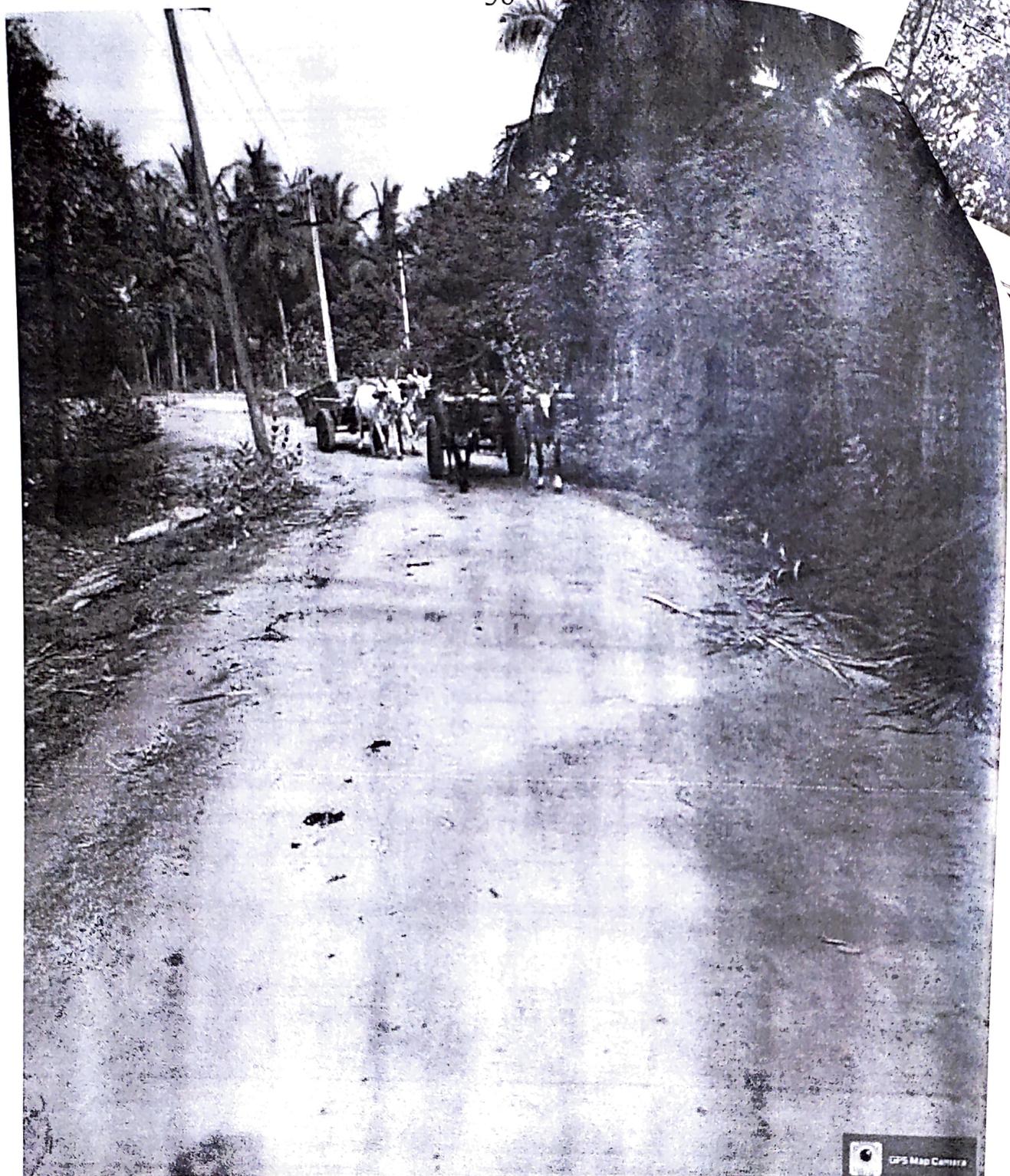
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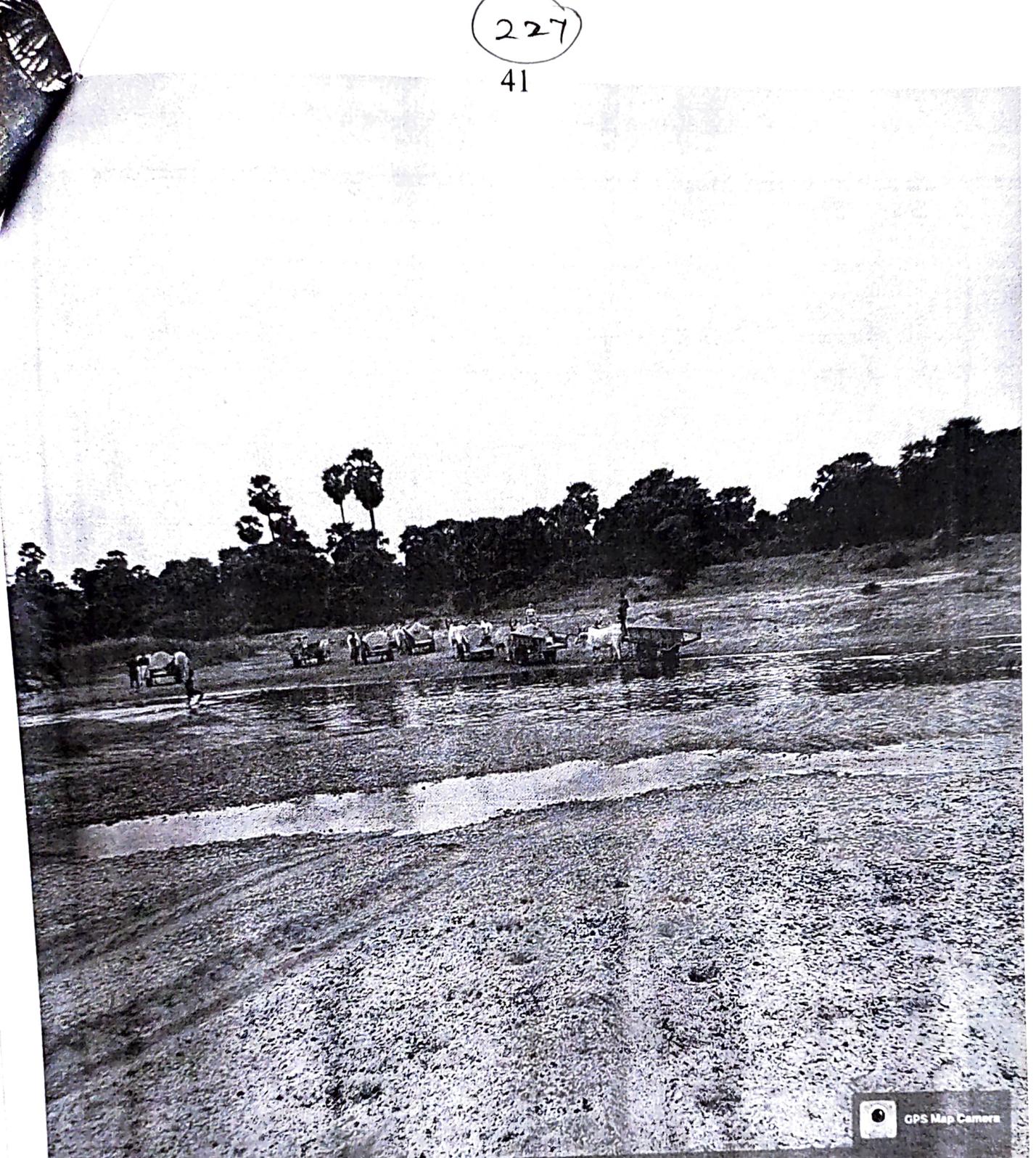
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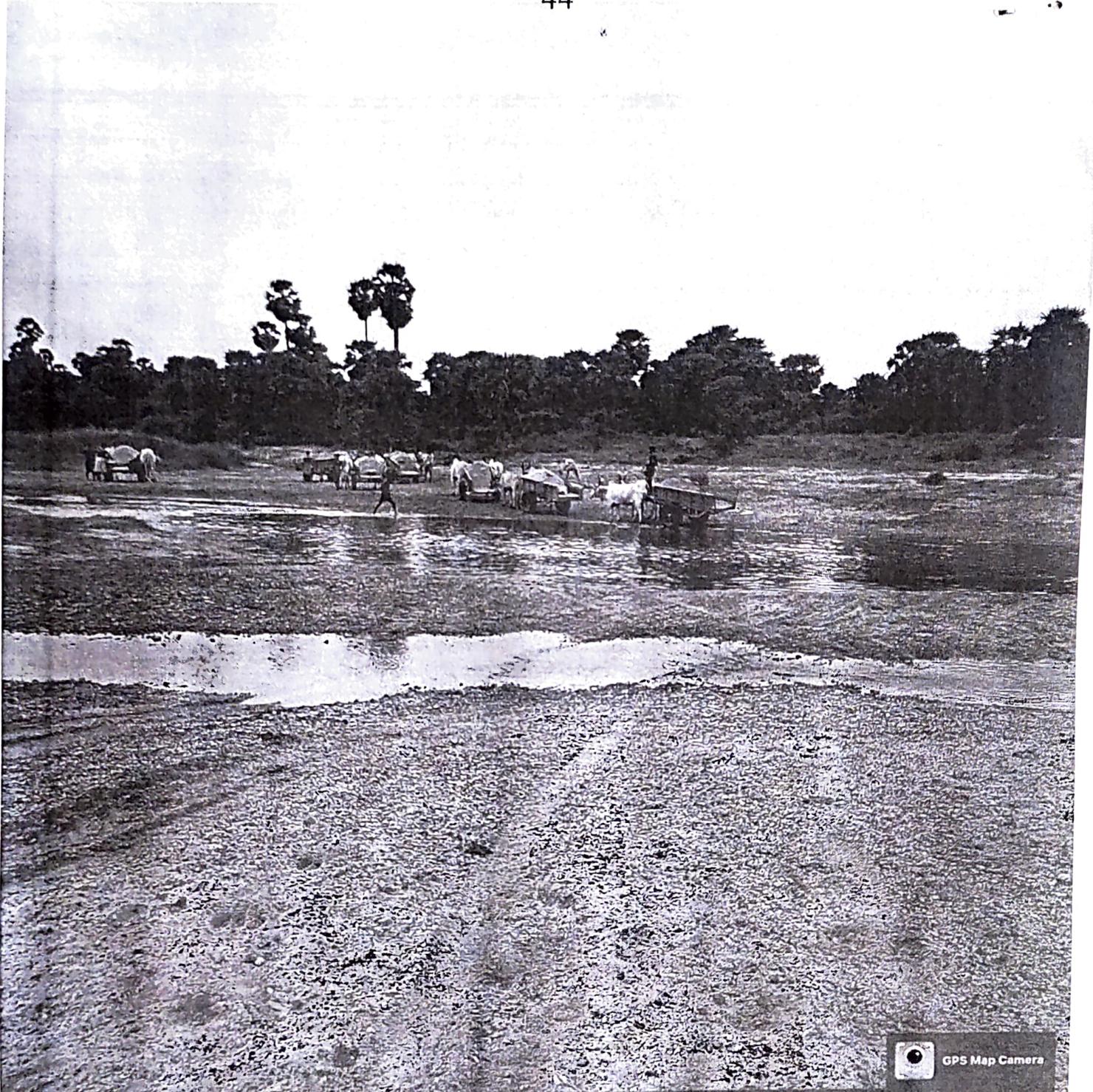
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