

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

**ORIGINAL APPLICATION NO.155 OF 2020**

**BETWEEN**

Vijeesh Kumar S/o. Vidhyadharan,  
Shailaja Bhavan, Enthivila, Cheeranikkara P.O. Vembayam,  
Thiruvananthapuram

...Appellants

**AND**

Union of India, Ministry of Environment, Forests & Climate Change,  
Rep. by its Secretary, Indira Paryavaran Bhavan,  
Jorgagh Road, New Delhi and others.

... Respondents

**REPORT FILED BY THE 2<sup>ND</sup> RESPONDENT**

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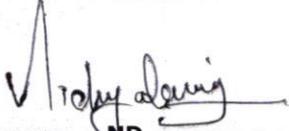
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Dated at Chennai on this 23<sup>rd</sup> day of August, 2021

  
**COUNSEL FOR 2<sup>ND</sup> RESPONDENT**

**SUPPLEMENTARY REPORT OF THE JOINT COMMITTEE ON  
ENVIRONMENTAL COMPENSATION IN THE ORIGINAL APPLICATION NO 155  
OF 2020 FILED BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
SOUTHERN ZONE, CHENNAI**

**August 2021**

**Submitted by**

**Kerala State Environmental Impact Assessment Authority  
Thiruvananthapuram  
Kerala**

**SUPPLEMENTARY REPORT OF THE JOINT COMMITTEE ON ENVIRONMENTAL COMPENSATION IN THE ORIGINAL APPLICATION NO 155 OF 2020 FILED BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE, CHENNAI.**

**1. Background:**

M/s Covenant Stones Pvt Ltd. is involved in the operation of a building stone quarry and dimension stone quarry in an area of 8.9637 Ha. in the Manikkal and Thekkada Villages of Nedumangad taluk of Thiruvananthapuram district Kerala. The first environmental clearance was issued by SEIAA to this quarry on 2014 vide environmental clearance No 237/SEIAA/KL/ 885/2014 dated 27/11/2014 and it was expired in 2019. The SEIAA had given an extension of six months vide environmental clearance by SEIAA No 1422/EC1/2019/SEIAA dated 3.01.2020 from 2019 to 2020. Meanwhile the Tahsildar, Nedumangad taluk issued a stop memo dated 7.3.2020 to M/s Covenant Stones Pvt Ltd for transporting quarried material without valid documents. At present the environment clearance is not in force and all the quarrying operations are stopped. As per the statement of the Company representative the quarry is not in operation since 7<sup>th</sup> March 2020. At the moment the extension period of the EC is over and the mining operations have come to a standstill. Further extension of the lease period is rejected by SEIAA. Now the company has applied for the approval of Terms of reference (TOR) for conducting an EIA study followed by public hearing which are pre requisite for applying Environmental Clearance (EC) for any mining projects having areal extent of 5 Ha or more. This application is now pending before SEIAA, Kerala.

Shri Vijeesh Kumar filed OA No 155/2020 before Hon'ble NGT South Zone alleging that lot of environmental damage has done on account of violations committed by M/s Covenant Stones (P) Ltd, Vembayam , Thiruvananthapuram and the Proponent had manipulated mining plan submitted with application for EC for the subsequent periods.



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Joint committee

Vide order dated 19.08.2020 in OA No 155/2020 Hon'ble NGT South Zone has directed to appoint a Joint Committee consisting of officers from SEIAA- Kerala, MoEF & CC, KSPCB, DMG and NCESS to ascertain the real state affairs and also the violation said to have committed by M/s Covenant Stones in carrying out quarrying operations.

**1.1. Members of the Joint Committee were:**

1. Shri G. Sankar, Member, SEAC, Kerala and Scientist G (Retd), National Centre for Earth Science Studies, Thiruvananthapuram
2. Dr S. Prabhu, Scientist C, MoEF and CC, Integrated Regional Office, Bengaluru
3. Shri A. M. Harees, Env. Engineer, Kerala State Pollution Control Board, District Office, Thiruvananthapuram.
4. Dr A. Krishnakumar, Scientist D, National Centre for Earth Science Studies (NCESS), Thiruvananthapuram
5. Shri M. M. Vahab, Geologist, Directorate of Mining and Geology (DMG), Kerala

SEIAA, Kerala coordinated the work as the nodal department. This Committee submitted the report on 17.12.2020. The concluding remarks and suggestions of the Committee are given below.

This report prepared by the Joint Committee is based on available records and on the spot field observations made during a time when this quarry is not functioning. The satellite images from 2003 were examined and we have come to the conclusion that minor quarrying activities are seen 2003 onwards. Joint committee visited the site on November 2, 2020. Both the quarry and crusher unit were not working at the time of visit.

**1.2. Important observations of the Joint Committee:**

- The JC members checked the EC conditions as well as the points raised by the Hon'ble NGT. It was noticed that two of the Special conditions such as quarrying outside the lease area and negligence in maintaining boundary pillars noticed. Few boundary pillars are found missing.



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- Out of the 5 Specific conditions imposed while issuing EC the Company has complied only three. Two conditions are not complied. In the general conditions the Company have compliance only for 22 conditions. 5 conditions were partly complied, 3 conditions were not got a clear answer due to non working of the quarry and 10 conditions are not complied at all.
- Excess quarrying was observed at many places. Area demarcated for buffer and garland canal was also mined. Benching at 5m x 5m is also not observed. Google time series maps have indicated that at many places quarrying has encroached to adjacent area also. Department of mining and geology have calculated the excess mining quantity for building stone as well as dimension stone and issued notices to the Company.
- Mine closure, mine rehabilitation and reclamation etc have not been done. Company has applied for environmental clearance in SEIAA for further extraction of building and dimension stones.
- Environmental degradation has happened in this area due to quarrying. Available analytical results of land, air and water show not much degradation. But excess and unscientific mining has resulted in landform changes, loss of bio diversity.
- Compensation for building stone was calculated based on the figure given by the DMG. Regarding the calculation of dimension stones the DMG has not completed calculating the excess amount. So, the environmental compensation could not be calculated for dimension stones.
- Survey conducted in the areas around the quarry indicated that problems due to dust, vibrations movement of large trucks are the major problems. There are other quarries are also working in this locality. So, the problem is cumulative. There are no major issues related to the quality of water except the acidic nature of water.
- Though the people who were working on the quarry for their livelihood are facing severe economic crisis after the closure of the quarry, the present field investigation revealed that that resource extraction through mining and quarrying activities took place here has accelerated the degradation of environmental conditions in various ways. So,



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formulation of an effective integrated management plan and cross checking of the same at every stage of quarrying operation is essential with the proper consultation of the geo- environmental experts in the concerned research areas.

- It seems there are no effective follow up or checking of the compliance of the conditions imposed with environmental clearance. Concerned agencies should make sure that all conditions are complied with after getting their half yearly compliance reports.
- Any application for renewal of EC of this quarry should be based on a new mine plan with new EMP and EIA with public hearing.

As per order dated 16.03.2021, this Tribunal had considered the Joint Committee report dated Nil e-filed on 17.12.2020 and received on 08.01.2021 which was extracted in Para 3 of the order and then, passed the following order:-

*“4. It is mentioned in the report that the environmental compensation on direct basis cannot be possible in Building Stone Quarry matters and as such they have not calculated environmental compensation but confined to the penalty already imposed by the department for the excess mining done by the third respondent.*

*5. It may be mentioned here that this Tribunal as well as the Hon'ble Apex Court in the case of violation of environmental laws has come heavily on the authorities for not recovering environmental compensation applying the Polluters' Pay Principle. Further in Forest matters the Hon'ble Apex Court has even gone to the extent of fixing the Net Present Value (NPV) of the trees cut to be calculated after assessing the ecological value that is likely to be obtained from the tree and that will have to be converted into money value while fixing the value of the tree for afforestation scheme.*

*6. Further in this case excess mining was done by doing mining beyond the mining lease area. Thereby heavy loss has been caused to nature and the ecology and what will be the time taken for the purpose of recouping such loss are all the matters to be taken into account for fixing*



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Joint committee

*the environment compensation. This has been repeated by this Tribunal in several cases of similar nature and directed the authorities to calculate the environmental compensation on that basis.*

*7. Further, they can also ascertain the profit that had been earned or the market value at which the mined article is being sold that will give an indication as the real value of the article that has been mined in excess, which can be taken into account for the purpose of fixing to the compensation as well.*

*8. Further, the possibility of damage caused to the environment on account of unscientific mining will also have to be taken into consideration as it is likely to cause natural calamity when heavy rain comes, resulting in heavy landslides causing lot of expenditure for the Government to rehabilitate the persons who are likely to be affected on account of the same. There is a possibility of damage being caused to the existing plants trees and for protection of such that plants trees some precaution any measures will have to be taken. Those are all the matters to be considered by the committee while fixing the environmental compensation to be recovered.*

*9. Further, Mine Closure Plan has not been implemented and that is one of the violations of the environmental clearance granted for the purpose and for that also guidelines have been provided by the Central Pollution Control Board (CPCB) as to how the environmental compensation has to be calculated. So the observation made by the committee that it is not possible to assess the environmental compensation in the case of Building Stone Quarry cannot be accepted. So they are directed to assess environmental compensation as directed by this Tribunal for the violation of conditions imposed including the excess mining and loss caused to environment, ecology and bio-diversity as mentioned above.*

*The committee members wanted some more time for submitting further report as directed by this Tribunal. The Hon'ble NGT (SZ) has directed the committee to file a further report on or*



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*before 20.08.2021 by e-filing in the form of Searchable PDF/OCR Supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per Rules.*

The Joint Committee met in Thiruvananthapuram on 29<sup>th</sup> July and 13<sup>th</sup> August 2021 to finalise the methodology and report. One of the members of the Joint Committee Shri M.M.Vahab of Department of Mining and Geology was retired on 28<sup>th</sup> February 2021. Since he was involved in the site inspection and data collection, he was requested to help the Committee in finalizing supplementary report.

The Committee examined the earlier work conducted in similar cases of environmental compensation. In the case of environmental compensation of excess quarrying in building stone and dimension stones there are no methods available. The methodology followed in Judgement of the Hon'ble NGT (PB) dated 26.02.2020 in the OA No 360 of 2015 for the calculation of excess mining of river sand (**Annexure - 1**) was adopted here. However, there are methodologies available for the calculation of environmental compensation for violations in building stones quarrying. There are methodologies described in illegal granite stone quarrying and mining report in OA 508 of 2019 before the Hon'ble NGT (SZ) filed by Kerala State Pollution Control Board (**Annexure - 2**) and laterite mining irregularities report in OA 14 of 2016 before the Hon'ble NGT (SZ) filed by the Kerala State Pollution Control Board (**Annexure - 3**) and. Laterite and granite building stone quarry environmental compensation methods are similar. The Committee decided to follow the method adopted in O.A No 508/2019 (with report dated 09.09.2020). O.A No 14 of 216 and O.A No 508 followed CPCB guidelines. The mineral extraction details were made available by the Department of Mining and Geology (**Annexure - 4**).



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**2. ENVIRONMENTAL COMPENSATION (EC):****2.1. VIOLATIONS OF THE ENVIRONMENTAL CLEARANCE CONDITIONS:**

As per CPCB guidelines (Polluter Pays Principle), Environmental Compensation has been calculated using the following formula, subject to the condition that the general environmental compensation for a violation **shall be a minimum of Rs 5000/- per day and a maximum of Rs 60,000/- per day.**

**Calculation of Environmental Compensation**

$$EC = PI \times N \times R \times S \times LF$$

Where EC = is Environmental Compensation in Rupees

**Pollution Index (PI)**

Pollution Index of industrial sector = 80 (Quarry being a red category, which may be a minimum of 60 and maximum of 100. Average pollution index is taken as 80).

**Number of days during which violation took place (N)**

*N = Number of days during which violation took place.*

**Calculation is detailed below:**

From documents the company submitted to SEIAA for renewing the EC they have mentioned that “The company has obtained the quarry lease in the year 2011 and after the development of the site, the quarrying operations was started in the year 2013. There upon the EC was obtained on 27.11.2014 and mining plan approved on 29.04.2015. it is further submitted that the quarry has not been functioning since 07.03.2020 and the EC period expired on 25.05.2020

For calculating the total number of days for which polluting activities took place, here the day the EC was given i.e. 27.11.2014 to the day quarry was stopped by the Revenue authorities i.e. 07.03.2020 was considered.



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**No of days the available from 27.11.2014 to 07.03.2020 = 1943 days** (Including Sundays, National holidays, State holidays totalling 297 days. So the no. days of working of quarry is 1646 days).

Even though the no of working days may be 1624 in the case of calculating environmental degradations due to violations the total no of days is taken in account. The quarry was functioning since 2011 only the period under the EC (for which the unit functioned without observing the some of the specific and general conditions. ) given by SEIAA is considered. This quarry was functioning with environmental Clearance from 27.11.2014 for a period of 5 years i.e 26.11.2019. Further SEIAA had given a six-month extension of the EC. The operations of the quarry were stopped following a stop memo issued on 7.3.,2020. So, the quarry was functioning since 27.11.2014 till 7.3.2020. For calculation of Environmental Compensation 1943 days were taken.

***Factor in Rupees for deriving the EC (R )***

R= 250 (which may be a minimum of 100 and maximum of 500, (usually taken as 250)

**Calculation of Rupee factor (R Factor)**

As per CPCB guidelines R has to be in the range of 100 to 500 and usually taken as 250. The R factor shall be calculated based on the number of working days per year (no of violation (Na) category of activity (Cr) factor of Scale of the unit (Sr)

$R = 100 + 21.75 (Na \times Cr \times Sr)$ .

The minimum value of R may be taken as 250.



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**Factor for No of violation (Na)**

It is number of working days for which violation is observed. Consider the Na factor as 1 up to 365 days, 2 for 365- 730 days, 3 for 730 – 1095 days and 3.5 for above 1095 days.

Na (Number of working days) factor	Value
Up to 365 days	1.0
365 – 730 days	2.0
730 – 1095 days	3.0
More than 1095 days	3.5

Since the number of violation days are 1646 days more than 1095 the Na factor is 3.5 This Na value is applicable only for calculating R factor

**Category Score (Cr)**

Category score (Cr) may be taken as 0.5, 1.0, 1.5 for Green, Orange and Red respectively

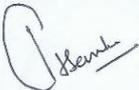
Category	Category Score (Cr)
Green	0.5
Orange	1.0
Red	1.5

Since the CPCB has classified Mining and related activities as Red category Cr is 1.5 in this case.

**Scale factor (Sr)**

Scale factor (Sr) may be taken as 1.0, 2.5 & 3.5 for small (< 5 Crores), Medium (5-10 Crores) and Large (>10 Crores).

Scale	Sr factor
Small Scale ( < Rs 5 Crores)	1.0
Medium Scale ( Rs 5-10 Crores)	2.0
Large Scale (>10 Crores )	3.5



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The Project cost of this project is Rs 25 crores. This project can be considered as a largescale unit and the Sr factor is 3.5.

$$R = 100 + 21.75 (N_a \times C_r \times S_r)$$

Rupee factor (R) =  $100 + 21.75 (3.5 \times 1.5 \times 3.5) = 499.65$ . So, Rupee factor (R) is taken as **500**.

S = Factor for scale of operation which could be based on small /medium/ large industry **S= 3.5**

LF = location factor = 1 (Since population is less than one million).

$$EC = PI \times N \times R \times S \times LF$$

**EC =  $80 \times 1943 \times 500 \times 3.5 \times 1 = 2,72,02,000/-$  ( two crore seventy two lakh two thousand only) i.e Rs 14,000 per day of violation.**

## **2.2. EXCESS MINING:**

There is no separate formula/ method available for the calculation of environmental compensation for the excess stone quarry. It is noted that Hon'ble NGT (PB) vide Judgement dated 26.02.2021 in OA 360 of 2015 approved the following method for calculation of EC for illegal sand mining.

$PV = \sum_{t=1}^5 \frac{D \times RF}{(1+r)^t}$ , Where D is Market Value of Illegally mined Material and PV is Present Value of Foregone Ecological values (@5-8% discount rate and over 5 years).



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**Risk factor (RF)** = 0.25, 0.50, 0.75, 1.00 as per the extent of severity of damage and ecological fragility of project.

Severity of Impact	Mild	Moderate	Significant	Severe
<b>Risk level</b>	1	2	3	4
<b>Risk Factor</b>	0.25	0.50	0.75	1.00
<b>Discount Rate</b>	8%	7%	6%	5%

Net Present Value (after netting out market value of illegally mined material) – i.e., Total Compensation to be levied, NPV= PV-D

Based on the above the, EC is calculated.

## **2.2.1. CALCULATION**

### **2.2.1.1. Building stone:**

The committee observed that Permitted Quantity of building stone is 9,75,675 MT (As per DGM report) and but total extraction is 19,27,653 MT. The Committee noted that PA has extracted excess building stone (Including buffer zone mining at Sy. No. 470 – 3570 m<sup>3</sup>) of **9,61,581 MT**.

RF is considered as 0.5 (Moderate). Market value of Rs 450 as per the DMG is considered.

Excess Quantity mined out = 9,61,581MT

Market value, D, = 450/-

Rs= 9,61,581x 450= **Rs 43,27,11,450/-**

$PV = [43,27,11,450 \times 0.5] / (1+0.07)^1 + [43,27,11,450 \times 0.5] / (1+0.07)^2 + [43,27,11,450 \times 0.5] / (1+0.07)^3 + [43,27,11,450 \times 0.5] / (1+0.07)^4 + [43,27,11,450 \times 0.5] / (1+0.07)^5 =$   
**Rs 88,72,68,389 /-**



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NPV = PV-D=88,72,68,389 - 43,27,11,450= **Rs 45,45,56,939/-**

### 2.2.1.2. Dimension Stone:

The committee observed that DGM has not provided information like permitted quantity of dimension stone, total extraction and excess extraction. Therefore, the committee has not calculated.

Sl. No.	Name of the materials	Excess mined Quantity	Environmental compensation calculated based on the above, Rs	Penalty collected, Rs.
	1	2	3	4
1	Building Stone	9,61,581 MT	45,45,56,939	6,71,08,430
2	Dimension Stone*	-	-	-
		Sub Total	45,45,56,939	6,71,08,430
		<b>Total (3-4) (Excess amount)</b>	<b>Rs. 38,74,48,509/- (Rupees Thirty Eight Crore Seventy Four Lakh Forty Eight Thousand Five Hundred Nine only).</b>	

\*Information provided by DMG insufficient

It can be seen from the above table that the Environmental Compensation worked out based on the Judgement of Hon'ble NGT(PB) dated 26.02.2021 in OA 360 of 2015 is more than the penalty levied by DMG. The excess amount may be recovered from the Project Proponent.



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**3. CONCLUSION:**

- a. **Environmental Compensation for violation of Environmental Clearance conditions** as per “Polluter pays” principle by CPCB guidelines. **EC = Rs. 2,72,02,000/-** (Rupees two crore seventy two lakh two thousand only) i.e Rs 14,000/- per day of violation.
- b. **Environmental Compensation for Excess Mining:** There is no separate formula/ method available for the calculation of environmental compensation for the excess stone quarrying. The Committee adopted the Hon’ble NGT (PB) vide Judgement dated 26.02.2021 in OA 360 of 2015 approved method for calculation of EC for illegal sand mining. **Environmental Compensation (EC) = Rs. 38,74,48,509/-** (Rupees Thirty Eight Crore Seventy Four Lakh Forty Eight Thousand Five Hundred Nine only).
- c. **Total Environmental Compensation** will be  $38,74,48,509 + 2,72,02,000 =$  **41,46,50,509/-** (Forty One Crore Forty Six Lakh Fifty Thousand Five Hundred Nine Only).

**4. FINAL RECOMMENDATIONS:**

- **The excess amount of environmental compensation for excess mining be recovered from the Project Proponent and may be used for Eco restoration including the implementation of mine closure plan at Project area.**
- **The DMG office shall be strengthened with additional manpower & advanced infrastructure facilities for strict vigilance on illegal mining activities.**
- **Audit on the quantity permitted, quantity mined out, rate of replenishment etc shall be conducted every year.**



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## Annexure 1 NGT order O.A 360/2015

	<b>AND</b>	
	Original Application No. 44/2016	
Mushtakeem	Versus	Applicant(s)
MoEF & CC & Ors.		Respondent(s)
	<b>AND</b>	
	Original Application No. 517/2015	
Sandeep Kumar	Versus	Applicant(s)
Ministry of Environment, Forests and Climate Change & Ors.		Respondent(s)
	<b>AND</b>	
	Original Application No. 550/2015	
Virender Kumar	Versus	Applicant(s)
Ministry of Environment, Forests and Climate Change & Ors.		Respondent(s)
	<b>AND</b>	
	Original Application No. 530/2016	
Sandeep Kumar	Versus	Applicant(s)
Ministry of Environment, Forests and Climate Change & Ors.		Respondent(s)
	<b>AND</b>	
	Original Application No. 272/2016	
M/s Ganga Yamuna Mining Co.	Versus	Applicant(s)
State of Haryana & Ors.		Respondent(s)
	<b>AND</b>	
	Original Application No. 481/2016	
Joginder Singh	Versus	Applicant(s)

  
 Chairman  
 Joint committee

**AND**

Original Application No. 540/2015

Ved Pal Singh Applicant(s)

Versus

Ministry of Environment and Forests & Ors. Respondent(s)

**AND**

Original Application No. 90/2016

Chander Mohan Uppal Applicant(s)

Versus

State of U.P. & Ors. Respondent(s)

**AND**

Execution Application No. 40/2017  
IN

O.A. No. 517/2015

Sandeep Kumar Applicant(s)

Versus

Ministry of Environment and Forests & Ors. Respondent(s)

**AND**

Original Application No. 671/2017  
(Earlier O.A.No.123/2014)

Himmat Singh Shekhawat Applicant(s)

Versus

State of Rajasthan & Ors. Respondent(s)

Date of hearing: 17.08.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant(s): Mr. Sravan Kumar, Advocate in OA173/2018  
Amicus: Mr. Raj Panjwani, Senior Advocate with Mr. Aagney Sail, Advocate in OA 366/2015  
Respondent(s): Mr. Divya Prakash Pandey, Advocate for CPCB  
Mr. Attin Shankar Rastogi, Advocate and Mr. Balendu Shekhar, Advocate for MoEF&CC

  
Chairman  
Joint committee

**ORDER**

1. The issue for consideration in this group of matters relates to updation of enforcement and monitoring mechanism to control and regulate illegal sand mining. The Ministry of Environment, Forest and Climate Change (MoEF&CC) issued 'Sustainable Sand Mining and Management Guidelines, 2016' under the provisions of the Environment (Protection) Act, 1986 (EP Act, 1986) on 15.01.2016. This Tribunal constituted a High-Powered Committee headed by the Secretary, MoEF&CC which gave its report in September 2016, suggesting further safeguards. Vide order dated 04.09.2018 in OA 173/2018, *Mushtakeem v. MoEF & Ors.*, the Tribunal directed revision of the guidelines in the light of the said report with further suggestions.<sup>1</sup>

2. Further, vide order dated 13.09.2018 in O.A. No. 186/2016, *Satyender Pandey Vs. MoEF*, further direction was issued to strictly

<sup>1</sup> Para 25 of the said order is as follows:

"25. In view of above discussion, we are of the view that since the subject of mining is also required to be regulated for protection of environment and it is to take care of this requirement, MoEF&CC has issued directions from time to time under Section 3 and 5 of the Environment (Protection) Act, 1986. The MoEF&CC needs to revise its directions keeping in mind the following:

- i. Mining Surveillance System discussed in para 23 above be finalized in consultation with ISRO Hyderabad.
- ii. Safeguards suggested in Sustainable Sand Mining Guidelines published by the MoEF&CC in the year 2016.
- iii. Suggestions in the High Power Committee Report.
- iv. Requirement of demarcation of boundaries being published in respect of different leases in public domain.
- v. Need to issue SOP laying down mechanism to evaluate loss to the ecology and to recover the cost of restoration of such damage from the legal or illegal miners. Such evaluation must include cost of mining material as well as cost of ecological restoration and net present value of future eco system services forgone.
- vi. Need to set up a dedicated institutional mechanism for effective monitoring of sand and gravel mining which may also take care of mining done without any Environmental Clearance as well as mining done in violation of Environmental Clearance conditions.
- vii. The Mining Department may make a provision for keeping apart atleast 25% of the value of mined material for restoration of the area affected by the mining and also for compensating the inhabitants affected by the mining.
- viii. One of the conditions of every lease of mine or minerals would be that there will be independent environmental audit atleast once in a year by reputed third party entry

enforce the judgment of the Hon'ble Supreme Court in *Deepak Kumar Vs. State of Haryana & Ors.: (2012) 4 SCC 629* as it was found that the said judgment was being diluted by dispensing with the requirement of public hearing.

3. On reviewing the compliance of the above directions in above batch of matters on 05.04.2019, following issues were framed for consideration and further directions were issued with reference to the above issues:

- “(a) Revision of Sustainable Sand Mining Guidelines, 2016 by the MoEF&CC in the light of directions of this Tribunal vide order dated 04.09.2018 in Sudarsan Das (supra).*
- (b) Compliance of Sustainable Sand Mining Guidelines, 2016 as may be revised by MoEF&CC as above.*
- (c) Effective monitoring mechanism for preventive and remedial measures as directed in orders of this Tribunal, including surveillance system and recovery of compensation.*
- (d) Directions in individual cases listed today.*
- (e) Scale of compensation.”*

4. Thereafter, the matter was considered on 26.07.2019 and it was found that the MoEF&CC had not complied with the directions of this Tribunal without any justification only on the ground that the MoEF&CC was approaching the Hon'ble Supreme Court. What was required to be done was to incorporate the safeguards suggested by the High-Powered Committee and to remedy non-compliance of the order of the Hon'ble Supreme Court in *Deepak Kumar (supra)*, apart from considering certain further suggestions to strengthen the monitoring mechanism. The Tribunal also noted that CPCB was required to give report about scale of environmental compensation and States were required to give report of the steps taken to enforce the sustainable sand mining norms.

5. The matter was thereafter considered on 08.01.2020 and the



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Joint committee

came up for hearing on 31.01.2020. The Hon'ble Supreme Court observed that the Tribunal may adjourn proceedings against officials of MoEF&CC. Keeping in mind the observations of the Hon'ble Supreme Court, the matter was deferred and has been taken up for consideration today without going into the matter for earlier non compliance by the officers of the MoEF&CC.

6. We have considered the compliance report filed by the MoEF&CC on 28.01.2020 to the effect that all necessary suggestions have been included in "Enforcement and Monitoring Guidelines for Sand Mining, 2020". The new guidelines have been uploaded on the website of the Ministry on 27.01.2020. The guidelines have been communicated to all the States.

7. We have also perused the report of the CPCB dated 30.01.2020 prepared by the following:

1. Dr Purnamita Dasgupta, Professor, IEG, Delhi
2. Dr K.S. Kavi Kumar, Professor, MSE, Chennai
3. Dr. Yogesh Dubey, Associate Professor, IIFM, Bhopal
4. Shri Sundeep, Director, MoEF&CC, Delhi
5. Shri A. Sudhakar, Additional Director, CPCB, Delhi

8. The Committee considered two approaches:

- (I) **Approach 1: Direct Compensation based on the market value of extraction, adjusted for ecological damages.**
- (II) **Approach 2: Computing a Simplified NPV for ecological damages.**

9. In the first approach, the criteria adopted is:

- Exceedance Factor (EF).
- Risk Factor (RF).
- Deterrence Factor (DF).

Annexure 1

Permitted Quantity (in MT or m <sup>3</sup> )	Total Extraction (in MT or m <sup>3</sup> )	Excess Extraction (in MT or m <sup>3</sup> )	Exceedance in Extraction:	Compensation Charge (in Rs.)
X	Y	Z = Y-X	Z/ X	$D * (1+RF + DF)$ Where D = Z x Market Value of $DF = 0.3$ if $Z/X = 0.11$ to $0.40$ $DF = 0.6$ if $Z/X = 0.41$ to $0.70$ $DF = 1$ if $Z/X >= 0.71$ $RF = 0.25, 0.50, 0.75, 1.00$ (as per table 2)

11. Approach 2 is demonstrated by following formula:

*"Total Benefits (B) = Market Value of illegal extraction: D (refer Table 1)*

*Total Ecological Costs (C) = Market Value adjusted for risk factor: D \* RF (refer Table 1)."*

12. Final recommendation is as follows:

*"Thus, it is recommended that the annual net present value (NPV) of the annual arrived at after taking the difference between the costs and the benefits through the use of the above approach, maybe calculated for a period of 5 years at a discount rate of 5% for mining which is in a severe ecological damage risk zone. The rationale for levying this NPV is based on expert opinion that reversal and/or restoration of the ecological damages is usually not possible within a short period of time and rarely is it feasible to achieve 100% restoration, even if the sand deposition in the river basin is restored through flooding in subsequent years. The negative externalities of the mining activity are therefore to be accounted for in this manner. Ideally, the worth of all such damages, including costs of those which can be restored should be charged. **However, till data on site-specific assessments becomes available, this approach may be adopted in the interim.** In situations where the risk categorization charged. However, till data on site-specific assessments becomes available, this approach may be adopted in the interim. In situations where the risk categorisation is unavailable or pending calculation, the following Discount Rates may be considered:*

Severity	Mild	Modemrle	Significant	Severe
Risk Level	1	2	3	4
Risk Factor	0.25	0.50	0.75	1.0
Discount	8%	7%	6%	5%



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13. We have heard learned Senior Counsel Shri Panjwani for the applicants and learned Counsel for the MoEF&CC and CPOB. Learned Amicus has submitted that the method for determining compensation suggested is complex and misses the present ecological value. Choice of discount rates has further complexity. Direct compensation approach method is preferable but needs to be modified as follows:

- a. *The market value (MV) is based on scheduled market rates.*
- b. *Risk of Loss to Ecology Factor (RLEF) - it is proposed that there be just two levels of risk factors (Loss to Ecology) - medium and high.*
- c. *Restitution of Ecology Cost Factor (RCF) - this factor is proposed to provide for resources for restoration of the ecology that is lost due to the mining.*
- d. *Deterrence factor - It is proposed the deterrence factors are dropped for simplification of calculations.*
- e. *Therefore, the calculation would now be as follows:*
  - i. *EQ - extent of illegally mined quantity of sand*
  - ii. *MP - Scheduled market price*
  - iii. *Risk of loss to ecology factor (RLEF) - medium - 0.4 and high - 0.7*
  - iv. *Restitution cost factor (RCF) - 0.3*
- f. *Therefore, the calculation would therefore be Ecological Damage (ED) = EQ x MP x (Risk of Ecological Loss Factor + Restitution Cost factor)*
- g. *In case the market price is not available or is artificially low, then it may be prudent to use the Royalty rates as the base value, instead of market rates. In such a scenario, the Risk Factor's and Restitution cost factors would need to be increased accordingly.*
- h. *The report rightly assumes that the compensation for ecological damage would be in addition to the loss of the illegally mined material due to confiscation, and additional penalties as per the applicable state level regulations. It is also submitted that the seizure of vehicles and equipment and compounding fees charged for the same must be continued as they provide a direct deterrence to the operators involved in the same.*
- i. *The application of this modified method would require a simple identification of the medium and high risk zones for mining. This would be done by the state and district administration led by the state pollution control board officials in consultation with the mining, forest, fishery, irrigation and public works department officials and*



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100 per cubic meter, i.e. with a market value of Rs 100,000, then the RLEF + RCF would be  $0.7 + 0.3 = 1.0$  and the calculation would be as follows.

i. Ecological Damage (ED) = EQ x MP x (Risk of Ecological Loss Factor + Restitution Cost factor)

$$\begin{aligned} ED &= 1000 \text{ m}^3 \quad \times \quad \text{Rs } 100 / \text{m}^3 \times (0.7 + 0.3) \\ &= 1000 \quad \times (1.0) \\ &= \text{Rs } 100,000 \end{aligned}$$

ii. If the sand **seized** is from a **low risk zone**, then the RLEF would be 0.4 and the RCF would be 0.3, with an additive total factor value of 0.7, and the total compensation amount would be as follows:

$$\begin{aligned} ED &= 1000 \text{ m}^3 \quad \times \quad \text{Rs } 100 / \text{m}^3 \times (0.4 + 0.3) \\ &= 1000 \quad \times (0.7) \\ &= \text{Rs } 70,000 \end{aligned}$$

iii. In a scenario where the sand is **not seized**, but there is evidence of illegal sand mining on the ground, then an additional factor of 1.0 should be added to the ED formula, as follows:

Ecological Damage (ED) = EQ x MP x (No seizure factor of 1.0 + Risk of Ecological Loss Factor + Restitution Cost factor)

iv. Therefore, as in the previous example if there is evidence of illegal mining (but no seizure) of 1000 cubic metres from a high risk zone (with RLEF = 0.7), and the market price of the sand is Rs 100 per cubic meter, i.e. with a market value of Rs 100,000, then the total additive factor would be  $1.0 + RLEF + RCF = 2.0$  and the calculation would be as follows.

Ecological Damage (ED) = EQ x MP x (No seizure factor of 1.0 + Risk of Ecological Loss Factor + Restitution Cost factor)

$$\begin{aligned} ED &= 1000 \text{ m}^3 \quad \times \quad \text{Rs } 100 / \text{m}^3 \times (1 + 0.7 + 0.3) \\ &= 100,000 \quad \times \quad (2.0) \\ &= \text{Rs } 200,000 \end{aligned}$$

v. If there is evidence of illegal mining (but no seizure) in a **low risk zone**, then the RLEF would be 0.4, the RCF would remain at 0.3, and an additional no seizure factor of 1.0 would be added with a total additive value of 1.7, and the total compensation amount would be as follows:

$$\begin{aligned} ED &= 1000 \text{ m}^3 \quad \times \quad \text{Rs } 100 / \text{m}^3 \times (1.0 + 0.4 + 0.3) \\ &= 1000 \quad \times \quad (1.7) \\ &= \text{Rs } 1,70,000 \end{aligned}$$

14. We are of the view that the suggestion of Shri Panjwani needs to be looked into by the same Committee and thereafter the scale of

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## Annexure 2

Only the methodology part is included
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**OA 508 of 2019**

Item No. 05	Court No. 1
<b>BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH, NEW DELHI</b>	
(By Video Conferencing)	
Original Application No. 508/2019 (With report dated 09.09.2020)	
Usha A	Applicant(s)
Versus	
State of Kerala	Respondent(s)
Date of hearing: 14.09.2020	
<b>CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER HON'BLE DR. NAGIN NANDA, EXPERT MEMBER</b>	
Respondent(s):	Mr. Jogy Scaria, Advocate for KSPCB Mr. Alim Anvar, Advocate for State of Kerala
<b>ORDER</b>	
1. A joint report was sought from Kerala State PCB and the District Magistrate, Trivandrum with reference to the allegation of illegal quarrying and mining at Vazhappara Nanniyode Panchayath, Kurupuzha Village Tvm, Kerala.	
2. The matter was thereafter considered on 07.01.2020 in the light of report of the State PCB dated 05.09.2019, acknowledging illegal quarrying and mining for which stop memo was issued. The Tribunal directed restoration of damage to the environment and also recovering of compensation for the illegal quarrying. The operative part of the order is as follows:	



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Joint committee

## Annexure 2

"2. Accordingly, report dated 05.09.2019 has been filed by the State PCB based on a joint inspection of the site inter-alia as follows:-

"Heavy earth movers like Jack hammer and excavator were seen at the premises of the quarry site. Also tyre mark was visible on the approach road which indicates the frequent movement of trucks. Prima facie all these can be treated as indications of continuing quarry activities. Hence Tahsildar, Nedumangad was instructed to issue stop memo for all the quarrying activities until they obtain all valid permits and licenses to operate a quarry. Proper fencing was not done at the quarrying area. Direction was issued by the Board to comply with Board's consent conditions."

3. In view of the above, the State PCB must take steps to restore the damage to the environment by illegal operation of the quarry. Environmental compensation also needs to be assessed and recovered on 'Polluter Pays' principle.

4. Let further remedial steps be taken in accordance with law after giving due opportunity to the alleged violator of law and further compliance report be filed before the next date by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in)."

3. Accordingly, the State PCB has filed its further report dated 09.09.2020 inter-alia stating as follows:

**"Specific observations based on the site visit:**

- During the site visit it was noticed that the quarry was operational. Quarrying was carried out in exposed rocks
- There was no top soil excavation carried out in the unit. There was no deposition of tailings anywhere within or around the premises
- The unit is surrounded by rubber plantation. There was no visible damage to these trees in the surrounding area due to quarrying. No evergreen plants were seen around the quarrying area.
- There is a Temple at a distance of more than 1 00m from the quarrying area which is under construction.
- The roads upto the quarry entrance was tarred. Roads inside the quarry were not tarred. Manual sprinkling of water for suppression of dust was seen carried out in the unit and premises.
- The products from the quarry were seen covered during transportation.
- Pillars exhibiting location of Border Points (B.P) have been provided. Fencing was provided between Border points 2 and 3

  
Chairman  
Joint committee

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## Annexure 2

small scale industry with Capital Investment less than Rupees One Crore)

LF = location factor = 1 (Since population is less than one million)

**\*\*Number of days of violation took place(N)**

Total number of days for which the pollution takes place. In this case we can consider it as the number of days for which the unit functioned without valid permit from Department of Mining and Geology i.e. Number of days from the date of expiry of the permit up to the day of Inspection of the Joint committee i.e. 112 days (from 13/05/2019 to 02/09/2019).

$$EC = 80 \times 112 \times 250 \times 0.5 \times 1 = 11,20000/-$$

Thus, the Environmental Compensation (EC) to be levied is assessed as Rupees 11,20,000/- (Rupees Eleven Lakh Twenty Thousand only)

Subsequently, Board Chairman convened a hearing of the quarry owner on 18/03/2020 in compliance with the order and it was decided to issue notice for Environmental Compensation and assess the environmental damage caused by illegal quarrying. But it is humbly informed that immediate after the meeting, Nationwide lockdown was declared on 23/03/2020 due to the Spread of Covid-19 Pandemic and the show cause notice could be served on 22/6/2020. Copy of notice issued is submitted herewith and marked as Annexure (II). Reply to the show cause notice has been received and further action is underway.

In order to evaluate the environmental damage, an expert committee with five members was constituted vide proceedings dated 25.08.2020. Copy of the proceedings is produced herewith and marked as Annexure (III). Field investigations could not be carried out due to the Spread of Covid-19 Pandemic and the district was under lock down. In these circumstances, it is humbly prayed to allow two months' time for the assessment of Environmental Damage."

4. The State PCB may take steps for restoration of the damage to the environment.
5. We also find that the Tribunal has, vide order dated 21.07.2020 in OA 304/2019, M. Haridasan & Ors. v. State of Kerala, based on opinion of the CPCB, directed maintaining of 100/200/500 meters minimum

  
Chairman  
Joint committee

**Annexure 2**

or any other locations to be considered by States. The relevant part of the said order is as follows:

*“3. Accordingly, the CPCB has filed its report on 09.07.2020 concluding as follows:*

**“6.0 Conclusion:**

*In view of available information, following minimum distance criteria may be considered for permitting stone quarrying by SPCBs:*

<b>Mining Type</b>		<b>Minimum Distance</b>	<b>Locations</b>
<b>A.</b>	<b>When Blasting is not involved</b>	<b>100 m</b>	<i>Residential/ Public buildings, Inhabited sites or any other locations to be considered by States.</i>
<b>B.</b>	<b>When Blasting is involved</b>	<b>200 m **</b>	

**\*\*Note: The regulations for danger zone (500 m) prescribed by Directorate General of Mines Safety also have to be complied compulsorily and necessary measures should be taken to minimise the impact on environment.**

*However, if any state is already having stringent criteria than the above for minor mineral mining (i.e. more prescribed distances than the above), the same shall be applicable.”*

*4. In view of the above, the said criteria be followed throughout India. The CPCB may monitor compliance.*

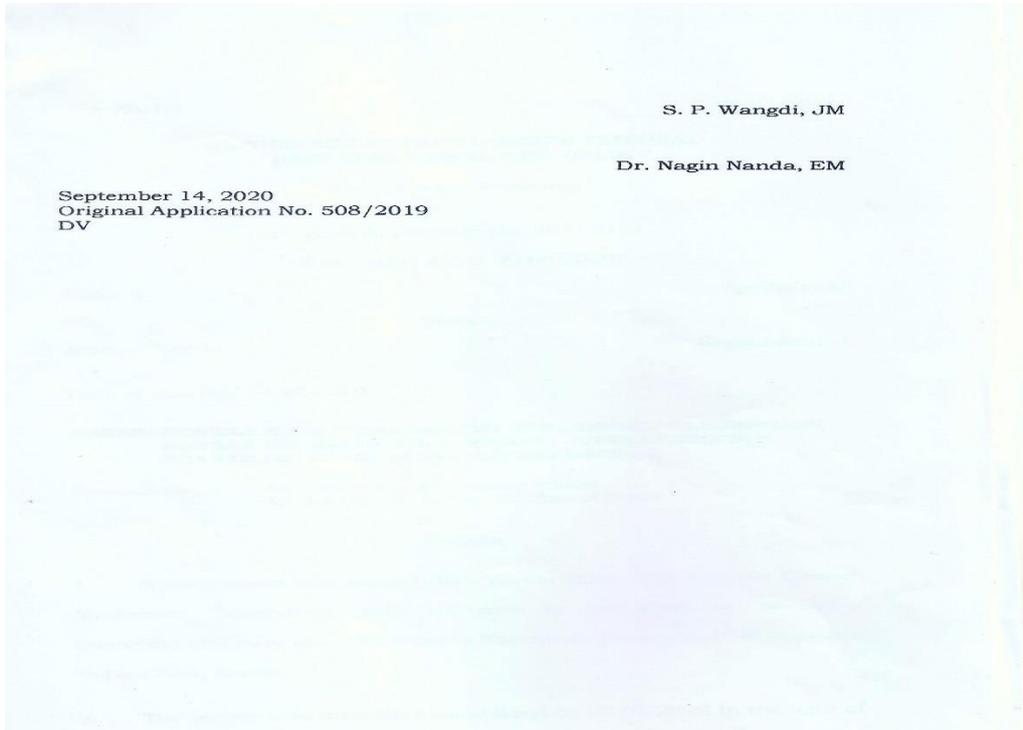
6. Needless to say that the State PCB must follow the above directions. The application is disposed of.

A copy of this order be forwarded to the State PCB by e-mail for compliance.

Adarsh Kumar Goel, OP



## Annexure 2



Chairman  
Joint committee

**Annexure – 3**

**OA 14 of 2016 (SZ)**

BEFORE THE NATIONAL GREEN TRIBUNAL, CHENNAI

ORIGINAL APPLICATION No.14 of 2016 (SZ)

In the matter of,

Muhammed, S/o Mammad : APPLICANTS  
Mangattuparamban Palachola House,  
Cheruvayoor, Malappuram

Vs

Kerala State Level Environment  
Impact Assessment Authority & Others : RESPONDENTS

REPORT FILED BY THE KERALA STATE POLLUTION  
CONTROL BOARD ON OA NO.14/2016, AS PER NGT  
ORDER DATED 01.10.2020



  
Chairman  
Joint committee

**Annexure 3**

BEFORE THE NATIONAL GREEN TRIBUNAL, CHENNAI

ORIGINAL APPLICATION No.14 of 2016 (SZ)

Muhammed, S/o Mammad : APPLICANTS  
 Mangattuparamban Palachola House,  
 Cheruvayoor, Malappuram

Vs

Kerala State Level Environment  
 Impact Assessment Authority & Others : Respondents

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**BEFORE THE NATIONAL GREEN TRIBUNAL, CHENNAI**  
**ORIGINAL APPLICATION NO. 14/2016**

Muhammed, S/o Mammad : **APPLICANTS**  
Mangattuparamban Palachola House,  
Cheruvayur, Malappuram

**Vs**

Kerala State Level Environment : **RESPONDENTS**  
Impact Assessment Authority & Others

**REPORT FILED BY THE KERALA STATE POLLUTION**  
**CONTROL BOARD ON OA NO.14/2016, AS PER NGT**  
**ORDER DATED 01.10.2020**

**Back ground in brief:**

OA 14/2016 has been filed before the Hon'ble NGT, by Shri. Muhammed Mangattuparamban, Palachola House, Cheruvayur, Malappuram in 2016 regarding illegal laterite quarrying activities carried out by respondents 5 to 8 in the nearby neighbourhood of the applicant. Hon'ble NGT vide order dated: 07.01.2020 issued directions to KSPCB "to file a detailed report as to whether the closure order has been made effective and also assess the environmental compensation for the past violation considering the quantity of laterite stone extracted and the amount required for restoring the damage caused for environment as has been directed by the Tribunal



*Handwritten signature in red ink*

**SAUMA HAMEED**  
Environmental Engineer

*Handwritten signature in blue ink*

Chairman  
Joint committee

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*in several cases and submit a report within a period of one month. Post the matter on 25.02.2020”.*

Accordingly site inspection was conducted and report was filed by the 2<sup>nd</sup> respondent Board, before the Hon’ble NGT on 25.02.2020. In that report, it was submitted before the Hon’ble Tribunal vide paragraph 5 of the report that *“Environmental Compensation for ‘past violation’ is being calculated for the period during which the quarry had worked without obtaining Board’s mandatory consent and also violating Board’s distance norms”*. Through this report it was brought to notice of the Hon’ble Tribunal vide paragraph 6 of the report that *“the power of levying of ‘Environmental Compensation’ as per section 5 of the Environmental (Protection) Act 1986, can only be exercised by the Board Chairman, as per notification S.O.No.327(E) dated: 10<sup>th</sup> April 2001 of the Govt of India”*. As at that time the post of the Chairman was vacant, it was informed the Hon’ble Tribunal that, necessary action to impose Environmental Compensation will be taken as soon as the new Chairman assumes charge.

Also vide paragraph 7 of the report it was submitted before the Hon’ble Tribunal that for assessing the actual damage caused due to the quarrying activity, a committee with Senior officer of the Directorate of Mining & Geology, Chief Environmental Engineer Regional Office Kozhikode, Village Officer, Senior officer from Ground Water Department, and District Environmental Engineer has been constituted, by the Board Member Secretary. Accordingly site inspection was



*Sauma Hameed*

**SAUMA HAMEED**  
Environmental Engineer

  
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conducted by the committee on 19.03.2020 to assess any actual damage happened to the environment in order to assess 'Environmental Damage Compensation'. Committee report was submitted before this Hon'ble Tribunal on the next hearing date on 02.06.2020. An individual report was also submitted by the 2<sup>nd</sup> respondent Kerala State Pollution Control Board during this hearing.

This Hon'ble Tribunal was not pleased with the findings of the Committee, and vide paragraph 8 of Its order dated: 02.06.2020, directed *"the committee to revisit the issue of imposing Environmental Compensation on the basis of the guidelines given by the Principal Bench of the Tribunal in similar matters and assess Environmental Compensation and take steps to recover the amount from the violator in accordance with the law, after providing him necessary opportunity of being heard and submit a report to this Tribunal within a month"*.

Pursuant to the Hon'ble Tribunal above dated 02/06/2020 above, the committee had revisited the issue of imposing Environmental compensation and observed that the Environmental Compensation calculated was adequate. Notice under Section 5 of the Environmental (Protection) Act was issued to the party by the Chairman of the Board who is the competent authority for issuing the same. Hearing was conducted by the Committee with the party and the report on hearing (Minutes) was sent to the Head Office of the Board on 12.08.2020, for proceeding with further steps on levying the



*Sauma Hameed*

**SAUMA HAMEED**  
Environmental Engineer

*[Signature]*  
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Environmental Compensation from the violator by the competent authority in accordance with the law.

The Hon'ble Tribunal had considered the report submitted by the committee signed on 27.08.2020, and also considered the submission made by the learned counsel appearing for the Kerala State Pollution Control Board and posted the case to 01/10/2020 for submission of further report. When the matter came up for hearing on 01/10/2020 the learned counsel appeared for the Kerala State Pollution Control Board submitted that Board had already initiated proceedings for recovery of environmental compensation assessed and requested some more time to submit the further action taken report. Considering the circumstances, this Hon'ble Tribunal directed the Kerala State Pollution Control Board to submit the report on or before 20.10.2020.

**Accordingly this report is being submitted.**

1. The quarry owner had submitted a letter to the Head office of the Board, in reply to the Notice issued under Section 5 of E(P) Act by the Board Chairman. A direction letter was received from the Board member secretary by No. PCB /HO /MLPM / NGT Cases/2020 dated 23/09/2020 enclosing reply of quarry owner, directing the District Environmental Engineer to submit remarks on the same. A copy of the same is submitted here with and marked as **Annexure I**. As the **Annexure I** letter was not supported with any documental evidence for his claims a letter was issued to the quarry owner's address, directing him to submit



*Vandana*

**SAUMA HAMEED**  
Environmental Engineer

  
Chairman  
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supporting documents for his justifications to consider his request to drop action on imposing EC. A copy of the same is attached herewith and marked as **Annexure II**. As no response was received from his end he was also tried to contact over his mobile number, but he does not responded to the same.

2. It is humbly submitted before the Hon'ble tribunal that Board has categorized Laterite quarries as GREEN category and informed vide letter, No.PCB/HO/SEE3/TECH/48/2019 Dated 30/09/2020, enclosing "Methodology for calculating Rupee factor (R) in cases of imposing Environmental Compensation as per CPCB guide lines and a specific calculation done for laterite quarry". A copy of the same is attached herewith and marked as **Annexure III**. On the light of **Annexure III**, the EC was recalculated, and a reply letter was submitted to the **Annexure I** letter of Board Member Secretary, informing the situation and including recalculated EC, for initiating further necessary actions from the higher office in accordance with law. A copy of the same is attached herewith and marked as **Annexure IV**.
3. It is respectfully submitted before this Hon'ble Tribunal that on the basis of the recalculated value of Environmental Compensation, Notice under Section 5 of the E (P) Act is again being issued to the quarry owner by the Board Chairman on 15/10/2020. A copy of the same by No.PCB/HO/MLPM/NGT Cases/2020 dated 15/10/2020 is attached here with and marked as **Annexure V**.



*Vanshika*

**SAUMA HAMEED**  
Environmental Engineer

  
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4. That vide **Annexure V** Notice, the quarry owner is being directed to deposit an Environmental Compensation of Rupees: 4, 50,000/- within seven days of receipt of the Notice, to the District office of the Board at Malappuram.

Dated this the 16<sup>th</sup> day of October 2020

For and On Behalf Of  
The Kerala State Pollution Control Board

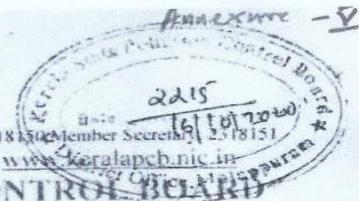
  
Environmental Engineer  
Kerala State Pollution Control Board,  
District Office, Malappuram.

**SAUMA HAMEED**  
Environmental Engineer

  
Chairman  
Joint committee



General: 0471- 2312910, 2318153, 2318154, 2318155 Chairman: 2318150 Member Secretary: 2318151  
 e-mail: ms.kspcb@gov.in FAX: 2318152 web: www.keralapcb.nic.in  
**KERALA STATE POLLUTION CONTROL BOARD**  
 Pattom P.O., Thiruvananthapuram – 695 004



PCB/HO/MLPM/NGT Cases /2020

Date: 15.10.2020

**Registered with A/D**

**NOTICE UNDER ENVIRONMENTAL (PROTECTION) ACT, 1986**

Sub: Unauthorized operation of laterite quarry without Consent to Operate from the Board

- Ref: 1. Order dated 25.02.2020 of Hon'ble National Green Tribunal in O.A. No. 14/2016(SZ)  
 2. Notice No. PCB/HO/MLPM/NGT Cases/2020 Dated 22.06.2020  
 3. Your reply dated 19.08.2020  
 4. Letter no. PCB/HO/MLPM(NGT)14/16 dated 29.09.2020 of the Environmental Engineer, District Office, Malappuram  
 5. Letter no. PCB/HO/MLPM(NGT)14/16 dated 05.10.2020 from the Environmental Engineer, District Office, Malappuram

WHEREAS the Central Government notified the Environmental (Protection) Act, 1986 for the protection and improvement of environment and for matters connected therewith;

WHEREAS Shri. Muhammed has registered a case before the Hon'ble National Green Tribunal against your illegal laterite quarrying in Sy.no. B1.18.483/1/1 of Vazhakkad Village, Kondotty Taluk, Malappuram vide O.A. No. 14/2016;

WHEREAS THE Hon'ble NGT has directed the Kerala State Pollution Control Board vide order dated 25.02.2020 to assess the environmental compensation for the past violation considering the quantity of laterite extracted;

WHEREAS the Board Officers and committee members deputed for assessing environmental damage inspected the quarry premises on 19.03.2020;

*Chairman*  
 Chairman  
 Joint committee

Annexure - Y

WHEREAS it has come to the notice that you have operated quarry without any consent of the Board for 90 days;

WHEREAS based on the methodology developed by CPCB, Environmental Compensation was calculated as Rs. 6,250/- per day of non-compliance with effect from 07.09.2015;

WHEREAS a Notice was sent vide paper read (2) above to show cause why the unit shall not be directed to deposit an Environmental Compensation of Rs. 5,62,500/- for 90 days from 07.09.2015;

WHEREAS vide reply read (3) above you have requested to drop further action on the basis of the show cause notice as you have conducted quarrying in Vazhakkad village for hardly one month with valid quarrying permit no. 237/2015-16/LT/DOM/M/1366/2015 dated 07.09.2015 issued by the Mining and Geology department;

WHEREAS vide letter read (4) above, you were informed from the District Office of the Board at Malappuram that your request couldn't be considered as you have not submitted any documentary evidence for justification;

WHEREAS the Environmental Engineer, District Office, Malappuram vide letter read (5) above informed that you have not responded to the letter above ;

WHEREAS the Board has categorized laterite quarry under green category;

WHEREAS the EC was recalculated based on the methodology developed by CPCB as follows;

$$EC = PI * N * R * S * LF$$

Where PI is the Pollution Index (PI= 30 for green category)

N is the Number of days of violation

N= 90 days

R is the Rupee factor

$$R = 100 + 21.75 (Na * Cr * Sr)$$

Na is the number of working days factor

Na = 1 (upto 365 days) Hence

Na = 1 (for 90 days)



Chairman  
Joint committee

**Note on calculating Rupee factor (R)**

**Calculation of Environmental Compensation**

As per CPCB guideline Environmental Compensation is calculated using the following formula:

$$EC = PI \times N \times R \times S \times LF$$

PI = Pollution Index of Industrial Sector

N = No. of days of violation

R = A factor for Rupee for EC

S = Factor for scale of operation

LF = Location Factor

- a. The industrial sectors have been categorized into Red, Orange and Green, based on their Pollution Index in the range of 60 to 100, 41 to 59 and 21 to 40, respectively. It was suggested that the average pollution index of 80, 50 and 30 may be taken for calculating the Environmental Compensation for Red, Orange and Green categories of industries, respectively.
- b. N, number of days for which violation took place is the period between the day of violation observed/due date of direction's compliance and the day of compliance verified by CPCB/SPCB/PCC.
- c. R is a factor in Rupees, which may be a minimum of 100 and maximum of 500. It is suggested to consider R as 250, as the Environmental Compensation in cases of violation.
- d. S could be based on small/medium/large industry categorization, which may be 0.5 for micro or small, 1.0 for medium and 1.5 for large units.
- e. LF, could be based on population of the city/town and location of the industrial unit. For the industrial unit located within municipal boundary or up to 10 km distance from the municipal boundary of the city/town, following factors (LF) may be used:

S. No.	Population* (million)	Location Factor* (LF)
1	1 to <5	1.25
2	5 to <10	1.5
3	10 and above	2.0

  
Chairman  
Joint committee

**Calculation of Rupee Factor (R factor)**

As per CPCB guideline R has to be in the range of 100 to 500 and usually taken as 250.

The R factor shall be calculated based on the Number of working days per year (No of days of violation ( $N_a$ ), Category of the activity ( $C_r$ ), Factor for Scale of the unit ( $S_r$ ).

$$R = 100 + 21.75(N_a \times C_r \times S_r)$$

The minimum value of R may be taken as 250.

**Factor for No. of days of violation ( $N_a$ )**

It is the number of working days i.e., Number of days for which violation is observed.

Consider  $N_a$  factor as 1 up to 365 days, 2 for 365 to 730 days, 3 for 730- 1095 days and 3.5 above 1095 days

$N_a$ ( number of working days) factor	Value
up to 365 days	1.0
365 to 730 days	2.0
730-1095 days	3.0
Above 1095 days	3.5

This  $N_a$  value is applicable only for R factor calculation

**Category Score ( $C_r$ )**

$C_r$  (category score) may be taken as 0.5, 1.0 & 1.5 for Green, Orange & Red respectively.

Category	Category score ( $C_r$ )
Green	0.5
Orange	1.0
Red	1.5

**$S_r$  (Scale factor)**

$S_r$  (scale factor) may be taken as 1.0, 2.5 & 3.5 for small (< 5 crore), Medium (5-10 crore) & Large Scale (>10 crore) respectively.

Scale	$S_r$ Factor
Small (< 5 crore)	1.0
Medium (5-10 crore)	2.5
Large (>10 crore)	3.5



*Annexure - IV*  
**KERALA STATE POLLUTION CONTROL BOARD**

DISTRICT OFFICE, 19/269 A, PERINTHALMANNA ROAD, UP HILL .P.O, MALAPPURAM - 676 505

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

ജില്ലാ ഓഫീസ്, 19/269A, പെരിന്തൽമണ്ണ റോഡ്, കുന്നത്തൂർ. പി.ഒ, മലപ്പുറം - 676 505

ഫോൺ (Phone): 0483-2733211, ഫാക്സ് (Fax): 0483-2733211

PCB/MLPM/COM (NGT)/14/16

Date: 05.10.2020

**NGT MATTER-VERY URGENT**

From  
 The Environmental Engineer

To  
 The Member Secretary,  
 Kerala State Pollution Control Board,  
 Thiruvananthapuram.

DESPATCHED  
 On. 7/10/2020

Sub: - **O.A. No. 14/2016 (SZ)** – EC for illegal laterite mining- notice issued by the Chairman- reg.

- Ref: - 1) Hon'ble NGT order on OA No. 14/2016 (SZ) dated 27.08.2020.  
 2) Letter No.PCB/HO/MLPM/NGT-Case/2020 from Board member Secretary dated: 23.09.2020.  
 3) This office letter of even number dated 29.09.2020.  
 4) This office e mail dated 30.09.2020 to Board Standing Council, requesting extend of date of submission of report to NGT.  
 5) This office letter of even number issued to quarry owner dated 29.09.2020.  
 6) Hon'ble NGT Order dated 01.10.2020.  
 7) Letter no.PCB/HO/SEE3/TECH/48/2019 from Head Office technical section dated 30.09.2020

Respected Madam,

Inviting kind attention to the references cited. As per the letter vide reference (2), it was directed to submit a report on the reply submitted by the quarry owner to Notice issued by Board Chairman under section (5) of the Environmental (Protection) Act. As it was duly pointed out in the letter vide reference (3), the reply letter submitted by the quarry owner was lacking any substantiating documents to prove his claims. Hence he was given a direction letter (reference (5)) to produce sufficient documentary proof to strengthen his claims. (Copy of the same is enclosed with). No reply was received at this office till date for the same. Also the quarry owner was tried to contact over his personal mobile number several times but failed as he was not attending calls. It may please be noticed that the Hon'ble NGT had fixed the next

Chairman  
 Joint committee

hearing on 20.10.2020 of this month itself, and Kerala State Pollution Control Board is directed to submit the report on or before 20.10.2020 with required hard copies as per rules and also e-file the report. (Copy of the NGT Order is attached herewith for reference).

Since the quarry owner had not responded to the reference (5) letter or phone calls, it is humbly reported that I am unable to report the genuineness of his claims in the reply letter submitted. As far as he is not responding with sufficient proofs, it is not possible to change the recommendation submitted by the committee as well as by the Board as respondent.

More over it is hereby informed that the value of **Environmental Compensation is recalculated based on the Head office technical section e.mail dated 30.09.2020, and letter from Head office vide reference (7).**

The revised Environmental Compensation calculation is given underneath.

**Environmental Compensation (for violation of Rules)**

$$EC = PI \times N \times R \times S \times LF$$

Where PI is the Pollution Index

$$(PI = 30 \text{ for Green Category Industry})$$

N is the Number of Days of Violation

$$N = 90 \text{ (As per quarry owners report during inspection and hearing)}$$

R is the Rupee Factor

$$R = 100 + 21.75 (N_a \times C_r \times S_r)$$

$N_a$  is the Number of Working Days Factor.

$$N_a = 1 \text{ (up to 365 days) Hence}$$

$$N_a = 1 \text{ (for 90 days as well)}$$

$C_r$  is Category Score

$$C_r = 0.5 \text{ (For Green Category Industry)}$$

$S_r$  is Scale Factor

$$S_r = 0.5 \text{ (For Small Scale Industries)}$$

$$\text{So, } R = 100 + 21.75 (1 \times 0.5 \times 1)$$

$$= 100 + 21.75 \times 0.5$$

$$= 100 + 10.875$$

$$= 110.875/-$$

=====

  
Chairman  
Joint committee

**Annexure 3**

It is suggested that the minimum value of R may be taken as 250 for calculating EC in cases of violations. Hence R factor may be taken as 250 here

$$\begin{aligned} \text{EC} &= 30 \times 90 \times 250 \times 0.5 \times 1 \\ &= ₹ 3, 37,500/- \\ &===== \end{aligned}$$

If the quarry owner submits any proof that he had conducted quarrying for only one month the value of EC may reduce further as follows.

$$\begin{aligned} \text{EC} &= 30 \times 30 \times 250 \times 0.5 \times 1 \\ &= ₹ 1, 12,500/- \\ &===== \end{aligned}$$

Further I would like to bring to your kind notice that, as the power to give Notice under Environmental (Protection) Act 1986 is vested with the Board Chairman, and as by now, the Environmental Compensation value is revised, necessary intimation regarding the same is to be communicated to the quarry owner from the Head office itself, and he be heard in person by the Board Chairman regarding his demand as well as grievances, to complete the entire process to comply with Hon'ble NGT directions. Above facts are submitted herewith for kind consideration and necessary action in accordance with the relevant Rules. Furthermore I am mentioning herewith the communication address and contact number of the quarry owner for kind information.

Rasheedali.K  
Karuvali  
Kuzhimanna P.O  
Malappuram District  
Mob: 9961735974

Yours faithfully,

  
ENVIRONMENTAL ENGINEER

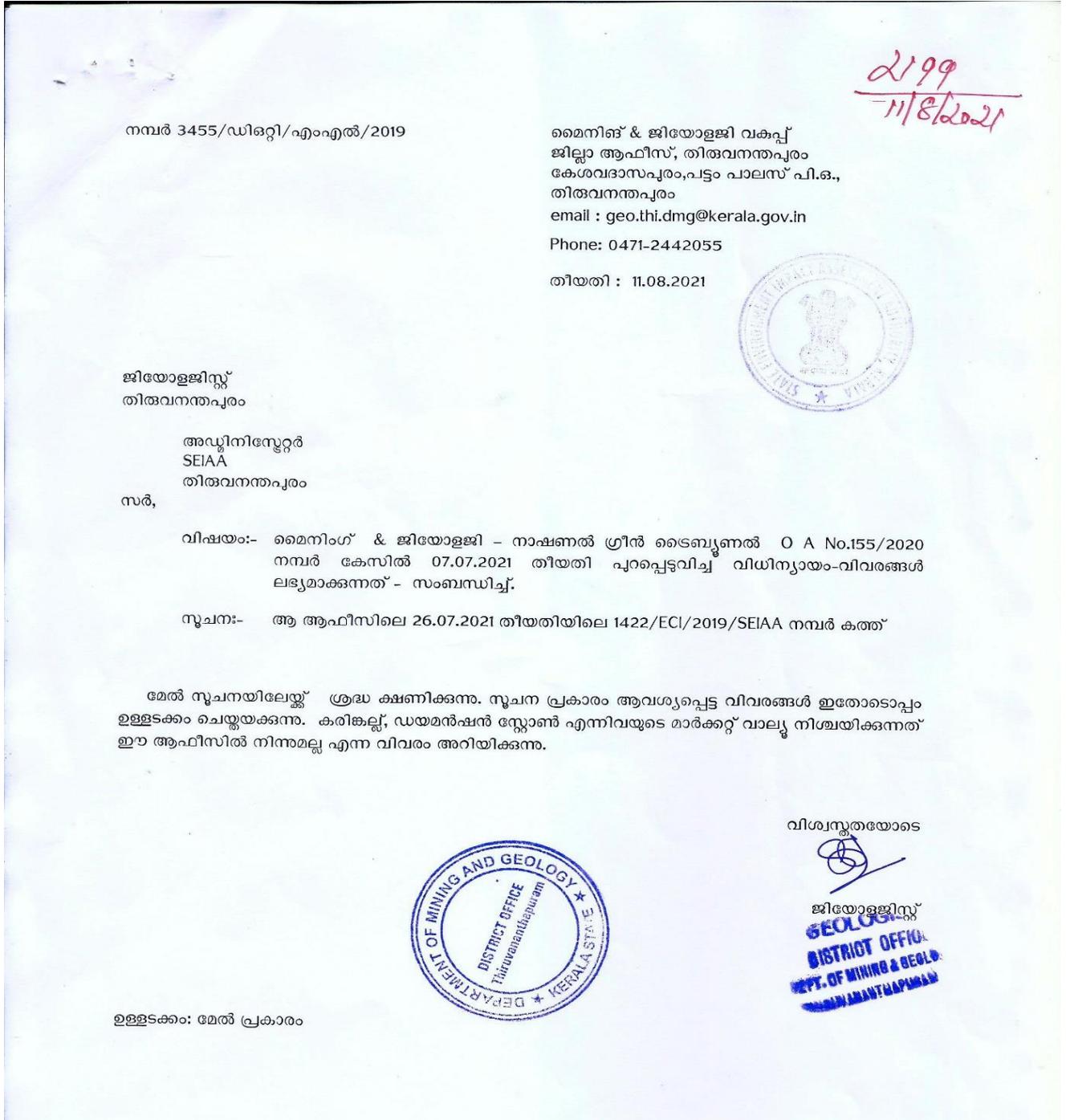
Enclosures: As Above

3/3

Copy to:  
The Chief Environmental Engineer,  
Kerala State Pollution Control Board,  
Regional Office, Kozhikode.

  
Chairman  
Joint committee

Annexure 4



നമ്പർ 3455/ഡിഒറ്റി/എംഎൽ/2019

മൈനിംഗ് & ജിയോളജി വകുപ്പ്  
ജില്ലാ ഓഫീസ്, തിരുവനന്തപുരം  
കേശവദാസപുരം, പട്ടം പാലസ് ഫി.ഒ.,  
തിരുവനന്തപുരം  
email : geo.thi.dmg@kerala.gov.in

Phone: 0471-2442055

തീയതി : 11.08.2021



2199  
- 11/8/2021

ജിയോളജിസ്റ്റ്  
തിരുവനന്തപുരം

അഡ്മിനിസ്ട്രേറ്റർ  
SEIAA  
തിരുവനന്തപുരം

സർ,

വിഷയം:- മൈനിംഗ് & ജിയോളജി - നാഷണൽ ഗ്രീൻ ട്രൈബ്യൂണൽ O A No.155/2020 നമ്പർ കേസിൽ 07.07.2021 തീയതി പുറപ്പെടുവിച്ച വിധിന്യായം-വിവരങ്ങൾ ലഭ്യമാക്കുന്നത് - സംബന്ധിച്ച്.

സൂചന:- ആ ഓഫീസിലെ 26.07.2021 തീയതിയിലെ 1422/ECI/2019/SEIAA നമ്പർ കത്ത്

മേൽ സൂചനയിലേയ്ക്ക് ശ്രദ്ധ ക്ഷണിക്കുന്നു. സൂചന പ്രകാരം ആവശ്യപ്പെട്ട വിവരങ്ങൾ ഇതോടൊപ്പം ഉള്ളടക്കം ചെയ്തുകൊണ്ടു കരികല്ല്, ഡയമൻഡ് സ്ട്രോൺ എന്നിവയുടെ മാർക്കറ്റ് വാല്യൂ നിശ്ചയിക്കുന്നത് ഈ ഓഫീസിൽ നിന്നുമല്ല എന്ന വിവരം അറിയിക്കുന്നു.

വിശ്വസ്തതയോടെ

*(Handwritten signature)*

ജിയോളജിസ്റ്റ്  
GEOLOGIST  
DISTRICT OFFICE  
DEPT. OF MINING & GEOL.  
THIRUVANANTHAPURAM



ഉള്ളടക്കം: മേൽ പ്രകാരം



**Annexure 4**

**I GRANITE BUILDING STONE**

Month and year	Production	Sales
7.11. to 3/13	445	435
4/13 to 3/14	92990	95589
4/14 to 3/17	396705	393807
4/17 to 3/18	187100	185328
4/19 to 3/2020	91474.145	91474.0919
	768714.145	766633.0919

**II**

**GRANITE DIMENSION STONE**

Month And year	Production	Sales
1/14 to 3/15	299.082	299.082
9/15 to 4/16	901.049	901.049
6/16 to 3/17	501.742	480.832
9/16 to 11/2016 - No		
4/17 to 9/19	1762.687	1322.567
	3464.56	3003.53

**III**

**Special Concern for Granite Building Stone Works**

Month and year	Production	Sales
5/18 to 9/19	61,000	71358.793

IV Total amount of top soil is the leasehold as per approved mining plan – 47000MT



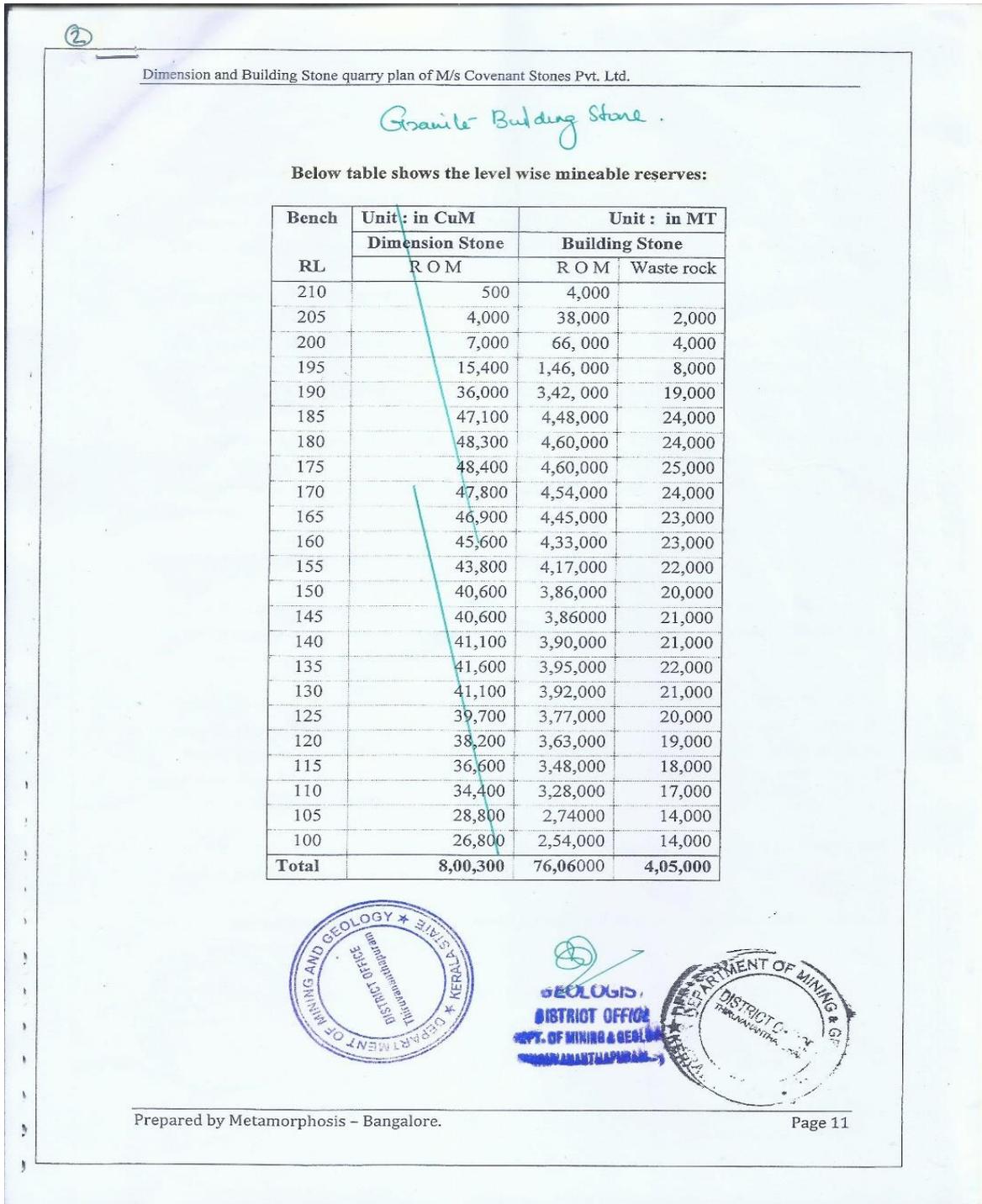
*(Signature)*  
Chairman  
Joint committee

**Annexure 4**



  
 Chairman  
 Joint committee

**Annexure 4**



*[Signature]*  
Chairman  
Joint committee

**Annexure 4**

Dimension and Building Stone quarry plan of M/s Covenant Stones Pvt. Ltd.

ANFO types of explosives (Nitrate mixture) will be used for blasting with 20 to 25 percent, proportion of primer / booster cartridges and rest as column charge. About 1 to 1.5 kgs of explosives are loaded in 32 mm diameter holes. And powder factor ranging between 6.0 to 7.0 tons per kgs of explosives is achieved. Lessee is having the Explosive license.

**Excavation and Transportation of Materials:**

Subsequent to the drilling and dislodging, the material so dislodged / fragmented / loosens from the rock mass will be fished out with the help of excavators of by winches and the same will be loaded into trucks / tippers of 10/20 tonnes capacity with the help of the excavator.

The boulders so generated subsequent to generation of dimension stone will be crushed or broken with the help of the secondary blasting or with the help of rock breakers. There after the material is loaded into trucks / tippers of 10/20 tonnes capacity with the help of the excavator.

**Safety and Precautions:**

Since Kerala falls under coastal region, Western Ghats and Malnad belt and this state receive a copious amount of rain fall to an extent of 3,000 mm annually. So safety and precaution of the quarry pit is very much essential.

Before the onset of monsoon, drains are cut along toe of the quarry faces to divert the surface run off. Garland drain is provided at the quarry top to regulate monsoon water to direct the same to the settling ponds / quarry pit to contain the quarry wash off and to avoid the same joining the adjoining surface water bodies / water courses. It also helps to avert eventual collapses and damages to the quarry faces.

The pit will be fenced by barbed wire, such that no habitats can enter the pit and watch and ward is provided round the clock.

b) **Indicate quantum of development and tonnage and grade of production expected** wise as in table below:

Below table shows the proposed Year wise Production & Development quantities

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Page 14

  
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**Annexure 4**

Dimension and Building Stone quarry plan of M/s Covenant Stones Pvt. Ltd.

Year	Unit : in CuM		Unit : in MT	
	Dimension Stone	Building Stone		
	ROM	ROM	Waste rock	
1 <sup>st</sup> Year 2015 – 16	9,000	85,500	4,500	
2 <sup>nd</sup> Year 2016 – 17	25,000	2,37,500	12,500	
3 <sup>rd</sup> Year 2017 – 18	30,000	2,85,000	15,000	
4 <sup>th</sup> year 2018 – 19	30,000	2,85,000	15,000	
5 <sup>th</sup> year 2019 – 20	30,000	2,85,000	15,000	
<b>Total</b>	<b>1,24,000</b>	<b>11,78,000</b>	<b>62,000</b>	

All the above waste is generated incidental to quarrying and due to quarry loss. (This is recovery loss)

The year wise projection of working is marked on the Production and Development plan and enclosed as **Plate No. 10**. The year wise proposed projection and its dispositions of the benches are shown on the Geological Cross Section and enclosed as **Plate No. 11**.

f) **Attach a note furnishing a conceptual Quarry plan for the entire lease period (for B category quarry) and up to the life of the quarry (for A category quarry) based on the geological, Quarry and environmental considerations.**

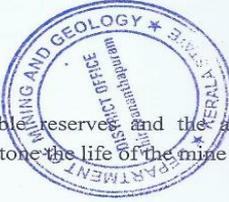
**CONCEPTUAL MINING PLAN**

For any Mine / quarry, Preparation of Conceptual Plan amounts to, fore-seeing in totality and planning for quarrying and related activities through-out its life span, till such time all the usable mineral / ores are exhausted to the economic limits and lease area is reclaimed to the extent possible. The norms laid down by the government agencies from time to time do play important roles.

Therefore, preparation of ideal conceptual quarry plan for any quarry is difficult and such plan prepared, remains acceptable only under given circumstances. It cannot be over looked that, any such plan undergoes amendments and revisions in the course of progressive stages of exploitation.

**Anticipated Life of Quarry:**

Considering the present mineable reserves and the average rate of production of Dimension Stone and Building Stone the life of the mine is about 26 years.




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Page 15

  
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 Joint committee

Annexure 4

②

GDS  
Granite Dimension Stone

**Table-2**  
**Estimation of Mineable Reserve**

Section	Bench	Area in m <sup>2</sup>	Area of Influence in m.	Volume in m <sup>3</sup>
A- A <sup>1</sup>	100-94	450	53	23850
	94-88	378	53	20034
	88-82	300	53	15900
	82-76	228	53	12084
	76-70	156	53	8268
	70-64	84	53	4452
<b>Total</b>				<b>84588</b>
B- B <sup>1</sup>	95- 89	468	100	46800
	89-83	396	100	39600
	83-77	354	100	35400
	77-71	252	100	25200
	71-65	186	100	18600
	65-59	120	100	12000
<b>Total</b>				<b>177600</b>
C- C <sup>1</sup>	63-57	474	100	47400
	57-51	366	100	36600
	51-45	300	100	30000
	45-39	228	100	22800
	39-33	150	100	15000
	33-27	78	100	7800
<b>Total</b>				<b>159600</b>
<b>Grand Total</b>				<b>421788</b>
<b>Rounded to</b>				<b>421700 cubic meters</b>



31





  
Chairman  
Joint committee

Annexure 4

**Table-3**  
**Yearwise production plan for first five years**

Year	Bench	Area (m <sup>2</sup> )	Thickness (m)	Mineable ore(ROM) m <sup>3</sup>	Saleable quantity (@25%)m <sup>3</sup>	Waste rock in m <sup>3</sup>
1 <sup>st</sup> year	1 <sup>st</sup> bench (65-59m. RL)	3996.00	06.00	23976.00	5994.00	17982
2 <sup>nd</sup> year	1 <sup>st</sup> bench (95-89m. RL)	3996.00	06.00	23976.00	5994.00	17982
3 <sup>rd</sup> year	2 <sup>nd</sup> bench (59-53m. RL)	3968.00	06.00	23808.00	5952.00	17856
4 <sup>th</sup> year	2 <sup>nd</sup> bench (89-83 RL)	2356.00 1628.00	06.00	14136.00 9768.00	5976.00	17928
5 <sup>th</sup> year	3 <sup>rd</sup> bench (53-47m. RL)	4000.00	06.00	24000.00	6000.00	18000

Average annual production of saleable granite dimension stone envisaged is 6000 cubic meters



*[Signature]*  
Chairman  
Joint committee

## Annexure 4

Dimension and Building Stone quarry plan of M/s Covenant Stones Pvt. Ltd.

**Working expected to be above water table:**

The general ground level in this area is 60 m above MSL, and the general ground water table in this area is 50m above MSL. The ultimate depth of the working of the quarry is 100 M above MSL. Since the working is much above the general ground water table, it does not affect the ground water.

**7.0 STACKING OF MINERAL REJECTS AND DISPOSAL OF WASTE**

(a) **Indicate briefly the nature and quantity of top soil/ overburden/waste and the mineral rejects likely to be generated during the next five years**

**Top Soil:**

More or less entire area is exposed by charnockite, only at few places topsoil occurs, and is sparsely distributed. The amount of topsoil occurs with thickness varying from 0.25 mts to 1.00 mts. To substantiate the depth of the topsoil few pit were taken of 0.25 m X 0.25m and depth up to where hard rock struck (approximate 1.00 mts). However during the course of quarrying of such area/s, the topsoil so occurs will be removed separately and will be used for plantation purpose.

The total amount of topsoil existing within the leasehold is calculated as below:

Length	480.00 mts
Width	240.00 mts
Depth (average)	00.50 mts
Bulk density	1.50

$480 \times 240 \times 0.50 \times 1.50 = 47,175$  tonnes. Or say 47,000 tonnes

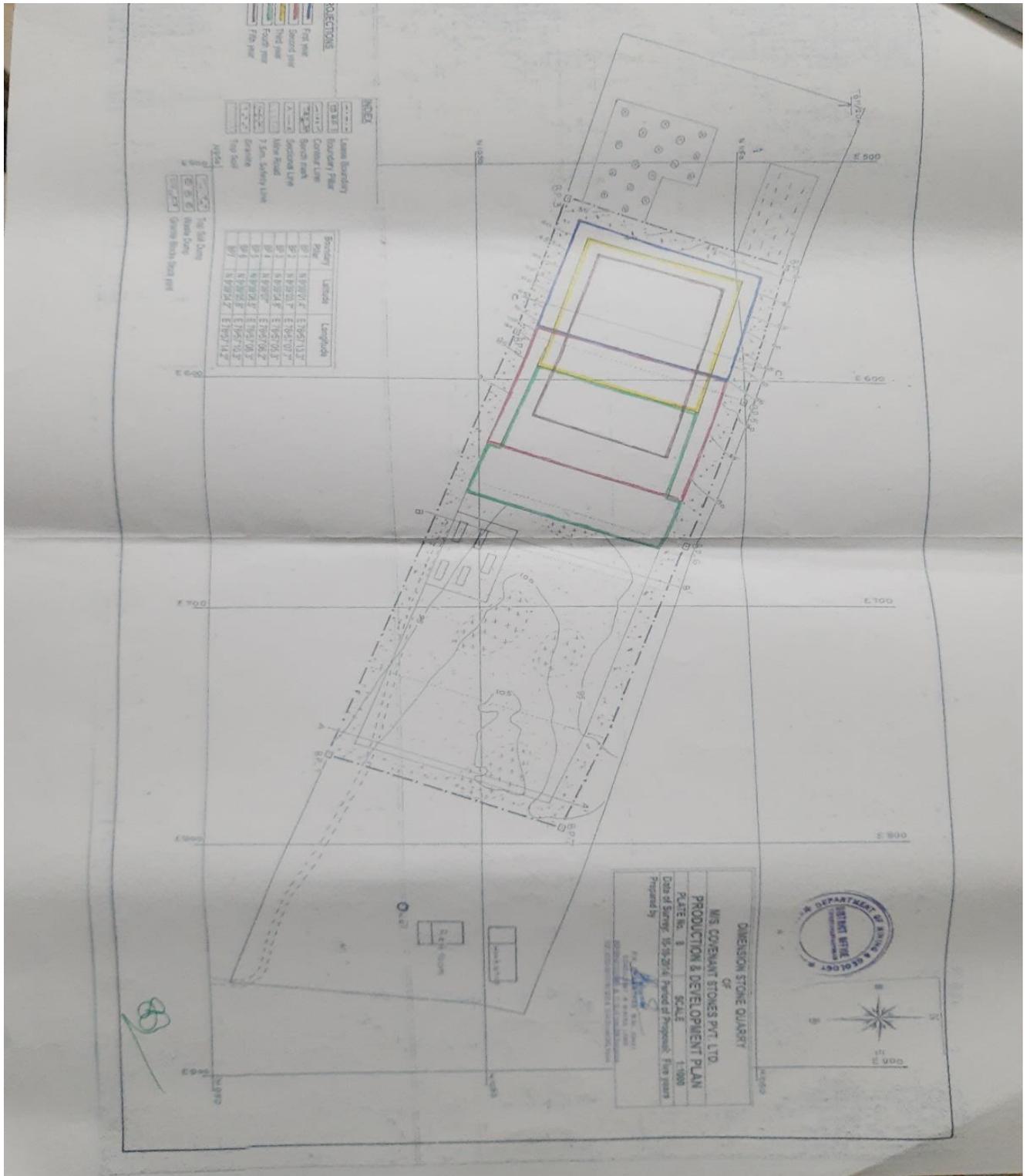
The topsoil generated during course of quarrying, will be removed separately and stacked within the quarry area earmarked for the purpose. This stack will be transit stack.



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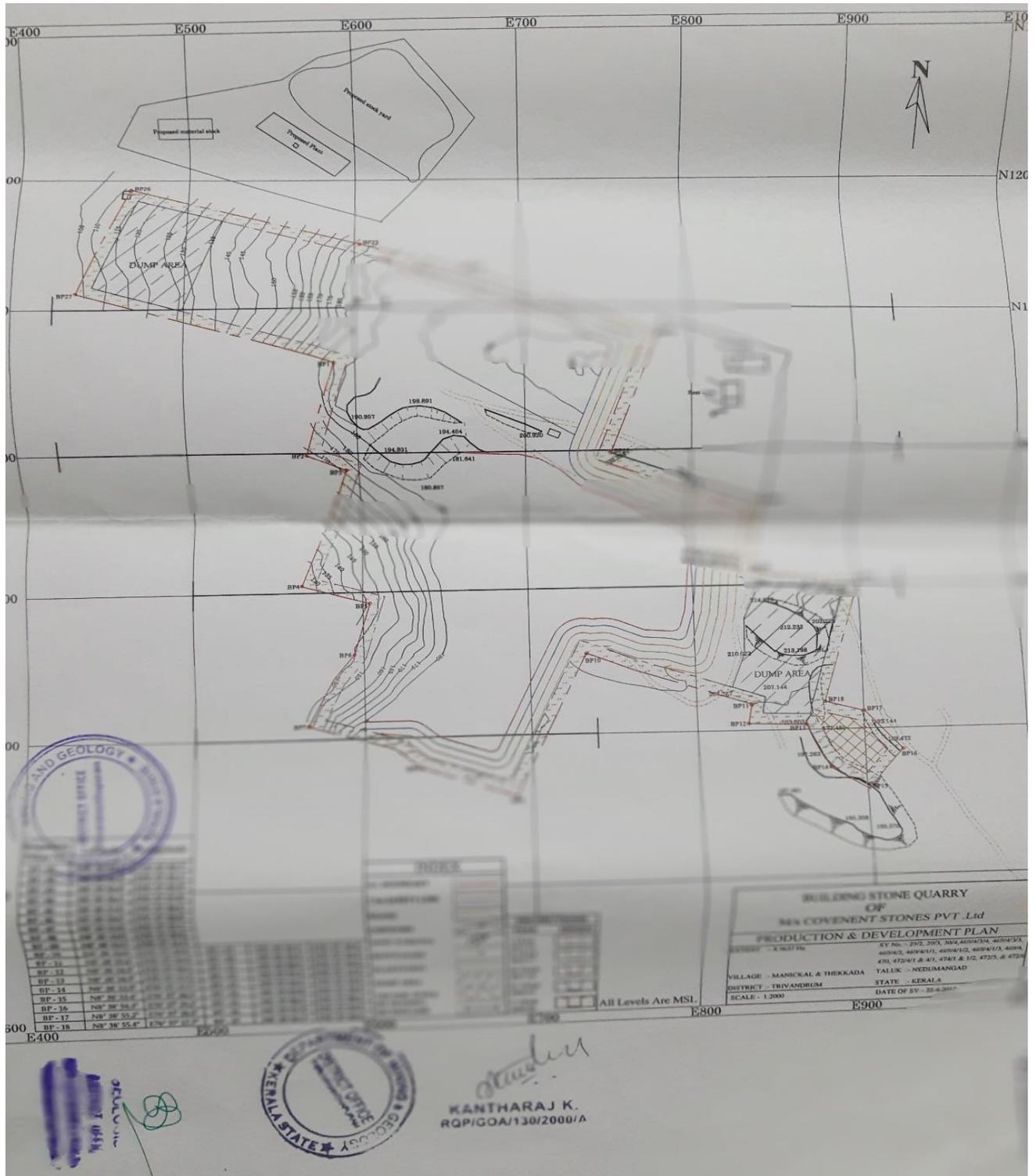
  
Chairman  
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Annexure 4



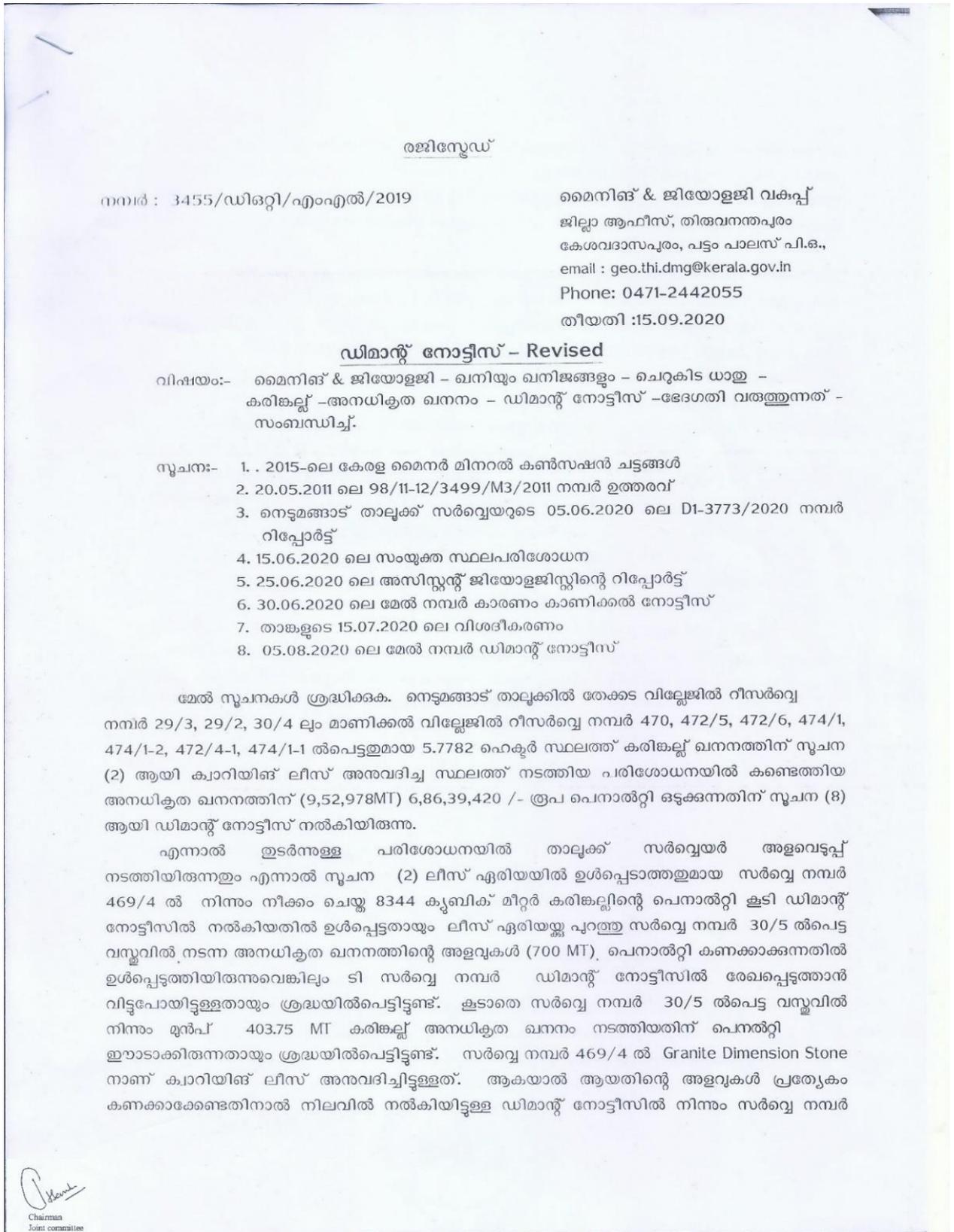
*[Signature]*  
 Chairman  
 Joint committee

Annexure 4



*[Signature]*  
 Chairman  
 Joint committee

**Annexure 5**



Annexure 5

496/4 ത്വപെട്ട വസ്തുവിൽ നിന്നും ഖനനം ചെയ്ത നീക്കിയതായി കണ്ടെത്തിയ 8344M<sup>3</sup> കുറവ് ചെയ്യേണ്ടതായി ബോധ്യപ്പെട്ടിട്ടുണ്ട്. അതോടൊപ്പം സർവ്വെ നമ്പർ 30/5 ത്വപെട്ട വസ്തുവിൽ നിന്നും മുൻപ് പെനാൽറ്റി ഈടാക്കിയിട്ടുള്ള 403.75 MT കരിങ്കല്ലിന്റെ അളവും കുറവ് ചെയ്യേണ്ടതായി കാണുന്ന സാഹചര്യത്തിൽ താഴെ വിവരിക്കും പ്രകാരം സൂചന (8) ഡിമാന്റ് നോട്ടീസിൽ ഭേദഗതി വരുത്തുന്നു.

M/S കവനന്റ് സ്റ്റോൺസ് പ്രൈവറ്റ് ലിമിറ്റഡ് എന്ന സ്ഥാപനത്തിന് കരിങ്കൽ ഖനനത്തിന് ക്വാറിയിൽ ലീസ് അനുവദിച്ചിരുന്ന നെടുമങ്ങാട് താലൂക്കിൽ തേക്കട വില്ലേജിൽ സർവ്വെ നമ്പർ 29/3, 29/2, 30/4, മാണിക്കൽ വില്ലേജിൽ 470, 472/5, 472/6, 474/1, 474/1-2, 472/4-1, 474/1-1 ത്വപെട്ട വസ്തുവിൽ നിന്നും ലീസ് ഏരിയക്കുപുറത്ത് സർവ്വെ നമ്പർ 30/5 പെട്ട വസ്തുക്കളിൽ നിന്നും അനധികൃതമായി നീക്കം ചെയ്തതായി കണ്ടെത്തിയ

കരിങ്കല്ലിന്റെ അളവ്	- 9,52,978 MT
(i) സർവ്വെ നമ്പർ 496/4 ൽ നിന്നും നീക്കം ചെയ്ത കരിങ്കല്ല്	- 20,860MT
(ii) സർവ്വെ നമ്പർ 30/5ത്വപെട്ട വസ്തുവിൽ നിന്നുള്ള ഖനനത്തിന് മുൻപ് പെനാൽറ്റി ഒടുക്കിയത്	- 403.75 MT
(i), (ii) അളവുകൾ കുറവ് ചെയ്താൽ (9,52,978 ൽ നിന്നും) ബാക്കിയുള്ളത്	-9,31,714 MT

പെനാൽറ്റി ഇനത്തിൽ ഒടുക്കേണ്ട തുക

റോയൽറ്റി	= 2,23,61,136 രൂപ
വില	=4,47,22,272/-രൂപ
പിഴ	=25,000/- രൂപ
ആകെ	= 6,71,08,430 /- രൂപ

മേൽ വിവരിച്ച തുക ഈ നോട്ടീസ് ലഭിച്ച് 15 ദിവസത്തിനുള്ളിൽ ഓഫീസിൽ ഹാജരായി ചെല്ലാൻ കൈപ്പറ്റി ഷെറിയിൽ ഒടുക്കി അസൽ ചെല്ലാൻ ഹാജരാക്കേണ്ടതാണ്. അല്ലാത്ത പക്ഷം താങ്കളിൽ നിന്നും ടി തുക റവന്യൂ റിക്കവറി നടപടിയിലൂടെ ഈടാക്കുന്നതാണ്.

s d  
സീനിയർ ജിയോളജിസ്റ്റ്

To  
Sri Reghunadhan Kunju Krishnan  
M/S Covenant Stones Pvt Ltd  
Katta, Cheeranikkara P.O.  
Vembayam  
Thiruvananthapuram

Copy to: 1. തഹസിൽദാർ, നെടുമങ്ങാട്  
2. ശ്രീ ഷൈജു പി., അസിസ്റ്റന്റ് ജിയോളജിസ്റ്റ്

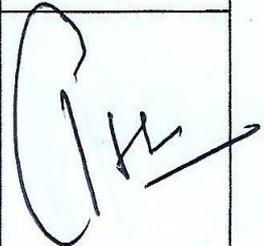
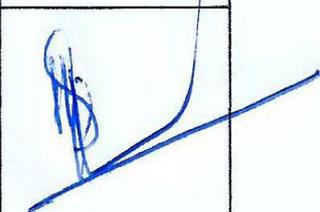
Granite Dimension Stone ലീസ് ഏരിയ അടിയന്തിരമായി പരിശോധിച്ച് നീക്കം ചെയ്ത GDS/GBS ന്റെ അളവുകൾ വ്യവസ്ഥിത സമർപ്പിക്കുന്നതിന്

*Attested*  
*M.M. VAHAB*  
*Geologist*



*Chairman*  
Chairman  
Joint committee

## JOINT COMMITTEE MEMBERS

Sl.No	Name and address	Designation	Signature
1	G Sankar Member, SEAC & Scientist G (retd), NCESS 29, Pallavi, Ulloor Lane Jagathy Thiruvananthapuram 695014	Chairman	
2	Dr. S. Krishnakumar Scientist D, NCESS Akkulam Thiruvananthapuram 695011	Member	
3	Dr. S. Prabhu Scientist C, MoEF &CC Integrated Regional Office Bengaluru	Member	
4	Shri Harees A. M Environmental Engineer Kerala State Pollution Control Board	Member	
5	Shri M.M.Vahab Geologist ( retd) Department of Mining and Geology Kerala	Member	