

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

SOUTHER ZONE AT CHENNAI

ORIGINAL APPLICATION NO.155 OF 2020

IN THE MATTER OF:

Vijeesh Kumar

...Applicant

Versus

Union of India and others

...Respondents

**FINAL SUPPLEMENTARY REPORT SUBMITTED BY THE JOINT
COMMITTEE CONSTITUTED VIDE O.A.155/2020**

VIDYALAKSHMI VIPIN

Standing Counsel for SEIAA, Kerala and KSBB

No.GF-A, 19, Casa Major Road, Egmore, Chennai -600 008.

Mobile :- +91-91767 90131

E-mail: vidyalakshmi@wialegal.com

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Dated at Chennai on this the 31st of August, 2022

Vidyalakshmi

COUNSEL FOR THE 2ND RESPONDENT

FINAL SUPPLEMENTARY REPORT- REVISED ESTIMATION OF ENVIRONMENTAL COMPENSATION-
JOINT COMMITTEE CONSTITUTED VIDE O.A 155 OF 2020

**REVISED ESTIMATION OF THE ENVIRONMENTAL COMPENSATION IN THE
ORIGINAL APPLICATION NO 155 OF 2020 FILED BEFORE THE HON'BLE
NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE, CHENNAI**

**FINAL SUPPLEMENTARY REPORT SUBMITTED BY
THE JOINT COMMITTEE CONSTITUTED VIDE O.A.155/2020**

**State Environmental Impact Assessment Authority, Kerala
Ministry of Environment, Forest and Climate Change, Regional Office, Bangalore
Department of Mining and Geology, Govt. of Kerala
National Centre for Earth Science Studies, Govt. of India
Kerala State Pollution Control Board,**

August 2022

**FINAL SUPPLEMENTARY REPORT ON THE REVISED ESTIMATION OF THE
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 7th 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.

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. Accordingly, a Joint Committee was constituted with Members representing the Integrated Regional Office of the Ministry of Environment, Forest and Climate Change, Govt. of India at Bangalore,

National Centre for Earth Science Studies, Govt. of India at Thiruvananthapuram, Kerala State Pollution Control Board, Mining and Geology Department, Government of Kerala and State Environmental Impact Assessment Authority, Kerala. Consequent to the superannuation of the personnel involved in the Joint Committee and reconstitution of SEIAA and SEAC, the Joint Committee constituted earlier was reconstituted in August 2022.

SEIAA, Kerala coordinated the work as the nodal department. This Joint Committee (JC) submitted the first report on 17.12.2020 which detailed mainly the non-compliances of environmental clearance conditions and also illegal extraction by the PA. The second report “Supplementary Report of the Joint Committee on Environmental Compensation” was submitted in August 2021. In response to the Objections to the report of the Joint Committee by the 3rd Respondent, the Joint Committee submitted “Reply to the Objections Raised on the Report of the Joint Committee on Environmental Compensation” on 25.8.2022.

Consequent to the orders of the Hon. High Court of Kerala and subsequent orders of the Appellate Authority of the Mining & Geology Department of Kerala in the Industries Department, Govt. of Kerala, the Mining & Geology Department reassessed the excess quantity of building stone mined by the 3rd Respondent. Accordingly, the Environmental Compensation for the excess quantity of building stone mined is re-estimated. Accordingly, this report contains the Environmental Compensation for three aspects.

1. Environmental Compensation (EC) for violations of the Environmental Clearance Conditions
2. Environmental Compensation (EC) for the mining of excess quantity of building Stones
3. Environmental Compensation (EC) for the mining of excess quantity of Dimension Stones

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.

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

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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.

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.

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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

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.

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

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

2.2 ENVIRONMENTAL COMPENSATION FOR EXCESS MINING OF BUILDING STONE

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.

$PV = \sum_{t=5}^{\infty} \frac{D \times RF}{(1+r)^t}$, 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
Risk level	1	2	3	4
Risk Factor	0.25	0.50	0.75	1.00
Discount Rate	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.

The committee observed that Permitted Quantity of building stone is 10,46,619 MT (As per DGM report) and but total extraction is 18,86,405 MT. The Committee noted that the PA has extracted excess building stone of **8,39,786 MT** from Lease 1 area (**Annexure 1**). Further, the Committee noted that the PA has extracted excess building stone of **3570 MT** from the Lease 2 area (**Annexure 2**). Hence, the total excess quantity mined out is **8,43,356 MT**

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

Excess Quantity mined out = 8,39,786 +3570 = **8,43,356 MT**

Market value, D, = Rs. 450/-

Rs= 8,43,356 x 450= **Rs 37,95,10,200/-**

$PV = [37,95,10,200 \times 0.5] / (1+0.07)^1 + [37,95,10,200 \times 0.5] / (1+0.07)^2 + [37,95,10,200 \times 0.5] / (1+0.07)^3 + [37,95,10,200 \times 0.5] / (1+0.07)^4 + [37,95,10,200 \times 0.5] / (1+0.07)^5 = \mathbf{Rs\ 77,83,10,404/-}$

NPV = PV-D=77,83,10,404 - 37,95,10,200= **Rs 39,88,00,204/-**

2.3 ENVIRONMENTAL COMPENSATION FOR EXCESS MINING OF DIMENSION STONE

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The PA has not extracted excess quantity from the permitted mining area but carried out mining from the buffer zone. This is considered as illegal and excess extraction.

Excess Extraction (Z) = 262.5 MT (**Annexure 2**)

RF is considered as 0.5 (Moderate)

Market Value of Building stone = Rs. 4800 per MT

Excess Quantity mined out = 262.5 MT

Market value, D, Rs= 262.5 x 4800 = **Rs 12,60,000/-**

$PV = [12,60,000 \times 0.5] / (1+0.07)^1 + [12,60,000 \times 0.5] / (1+0.07)^2 + [12,60,000 \times 0.5] / (1+0.07)^3 + [12,60,000 \times 0.5] / (1+0.07)^4 + [12,60,000 \times 0.5] / (1+0.07)^5 = \mathbf{Rs\ 25,84,043/-}$

NPV = PV-D= 25,84,043- 12,60,000= **Rs 13,24,043/-**

Sl. No.	Name of the materials	Excess mined Quantity	Environmental compensation calculated based on the above, Rs	Penalty collected, Rs.
1	Building Stone	8,39,786 + 3570 = 8,43,356 MT	39,88,00,204	6,71,08,430
2	Dimension Stone	262.5 MT	13,24,043	0.0
		Total	40,01,24,247	6,71,08,430

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.

3. CONCLUSION AND FINAL RECOMMENDATIONS

1. Environmental Compensation (EC) for violations of the Environmental Clearance Conditions is **Rs. 2,72,02,000/-** (Rupees Two crore seventy two lakh two thousand only) i.e Rs 14,000 per day of violation.
2. Environmental Compensation (EC) for violations of the mining of excess quantity of Building Stones is **Rs 39,88,00,204/-** (Rupees Thirty-nine crore eighty-eight lakh and two hundred and four only)
3. Environmental Compensation (EC) for violations of the mining of excess quantity of Dimension Stones is **Rs 13,24,247/-** (Rupees Thirteen lakh twenty four thousand two hundred and forty seven only)

4. The **Total Environmental Compensation** for violation of environmental clearance conditions, excess mining of granite building stone and excess mining of granite dimension stone is **Rs.42,73,26,451/-** (Rupees Forty-two crore seventy-three lakh twenty six thousand four hundred and fifty one only)
5. 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.

Members of the Joint Committee

1. Dr. R. Ajayakumar Varma, Chairman
Scientist G (Rtd), National Centre for Earth Science Studies, Govt. of India, Thiruvananthapuram & Chairman, SEAC Kerala
2. Dr. S.Prabhu, Member
Scientist D, Integrated Regional Office, MoEF& CC, Bangalore
3. Dr. A. Krishnakumar, Member
Scientist E, National Centre for Earth Science Studies, Govt. of India, Thiruvananthapuram.
4. Smt. Bincy B.S,
Environmental Engineer, Kerala State Pollution Control Board, District Office, Thiruvananthapuram.
5. Sri. Rajkumar. M.S, Member
Senior Geologist, District Office, Mining and Geology Department, Thiruvananthapuram.

Joint Committee Members:

Sl. No.	Name & Designation	Signature
1.	Dr. R. Ajayakumar Varma, Chairman Scientist G (Rtd), National Centre for Earth Science Studies, Govt. of India, Thiruvananthapuram & Chairman, SEAC Kerala	
2.	Dr. S.Prabhu, Member Scientist D, Integrated Regional Office, MoEF& CC, Bangalore	
3.	Dr. A. Krishnakumar, Member Scientist E, National Centre for Earth Science Studies, Thiruvananthapuram.	
4.	Smt. Bincy B.S, Environmental Engineer, Kerala State Pollution Control Board District Office, Thiruvananthapuram.	
5.	Sri. Rajkumar. M.S, Member Senior Geologist, District Office, Mining and Geology Department, Thiruvananthapuram.	

Report Submitted by the Joint Committee as directed by the Director of Mining & Geology in order 298/2022-23/DMG/7857/2021-M2 dt. 16.8.22

The Director of Mining & Geology vide order No.298/22-23/DMG/7857/ 2021-22/M2 dt. 16.8.22 constituted a Committee in compliance to the directions in G.O(Rt)No.710/2022/ID dated 16.7.22 and the decisions of the Joint Committee of SEIAA in their meeting dated 10.8.22 in OA No. 155/2020 filed before the Hon'ble National Green Tribunal, to ascertain the extend and volume of Granite Building Stone extracted by M/s. Covenant Stone Private Limited in their lease area in Manikkal and Thekkada Villages of Nedumangad Taluk. Annexure 1. Accordingly the committee inspected the lease area along with the Taluk Surveyor on 20.8.2022 and conducted total station survey to determine the quantum of mineral extracted. Since the measurements in granite dimension stone lease area has already been conducted by the District Geologist with the assistance of Taluk Surveyor, and a demand in this respect has been raised (for Rs.21,72,040/- dated 7.9.2021 for excess extraction), the present team did not make any attempt to measure the Granite Dimension Stone lease area. A copy of the demand notice is enclosed herewith as Annexure 2. The findings of the Joint Committee is enumerated hereunder.

The Director of Mining & Geology had issued a quarrying lease vide order No. 98/2011-2012/M3/2011 dated 20.5.2011 to M/s. Covenant Stones Private Limited over an area of 5.7782 Ha in Sy.Nos. 29/2, 29/3, 30/4 of Thekkada Village and Sy.No. 470, 472/5, 472/6, 474/1, 471/1-2, 472/4-1, 474/1-1 of Manikkal Village in Nedumangad Taluk for a period of 12 years, as per the provisions in the Kerala Minor Mineral Concessions Rules 1967. The said lease is valid up to 22.5.2023. The annual production permitted in

the lease order is one lakh metric tonnes. Based on a series of complaints, against the functioning of the lease, the District Geologist made assessments in the quarry and found illegal extraction of 931714 metric tonnes and hence a demand notice dated 15.9.2020 demanding 6,71,08,430 was issued to the lease holder. The merits of this demand notice was contested before the Appellate Authority in Government. Government while disposing the appeal petitions filed by Sri.Vijeesh Kumar and Sri.Bijumon authorized the Director of Mining & Geology to take necessary steps to reassess the alleged quarry with the help of revenue officials and issue fresh demand notice to the quarry owner and to take further action if any, on the basis of NGT order and final out come of a pending police case.

It is observed that during the earlier measurement, which culminated in the demand notice, the district office relied on the survey sketch prepared by the Taluk Surveyor to compute the volume. The heights were manually measured then, jointly by the officials of Mining & Geology and Taluk Surveyor. The complainants who had filed the appeal, before Government, challenged the calculations arrived at the joint inspection and requested for resorting scientific modes for ascertaining the correct quantity of illegal mining. Under the above instance, in the present quantification the aerial extent and depth factors were calculated using total station survey equipment.

Prior to the proposed survey, a notice was served to the lease holder to make himself available for the inspection on 20.8.2022 with necessary documents. A copy of the notice is enclosed herewith as Annexure 3. The lease holder however did not turn up for the proceedings, nor deputed any representations to assist the inspection team. Only a few of the boundary pillars were found erected, at the time of inspection. The deepest portion of

the quarry pits were found water logged which extends from 2 to 10 metres. The average depth of water columns was measured physically using ropes with weight attached.

The Surveyor of the Joint Committee and the Taluk Surveyor calculated that from the pits in lease hold area and outside **18,86,405** metric tonnes of granite building stone has been extracted. The sketch detailing the extend of quarrying is included as Annexure 3.

On perusal of office records, it is noted that the lessee is eligible for getting the following relaxations.

1. Audit report
 - 4.7.2011- 31.3.2013 - 445MT
 - 1.4.2013-31.3.2014 - 95990 MT
 - 1.4.2014-31.3.2015 -108100 MT
2. Mining Plan quantity (Eligible for RMCU holders)
 - 1.4.2015-31.3.2016 -85,500MT
 - 1.4.2016-31.3.2017 - 2,37,500MT
 - 1.4.2017-31.3.2018 -2,85,000 MT
3. Eligible quantity for RMCU holder as per circular dated 6.4.2019
No. 4/DMG/M3/2014
2019-20- 1,00,000. MT
4. Quantity for which penalty is remitted
71943.75+62140 MT = 134083.75
Total: 10,46,619 MT

By deducting the permissible allowances, the quantity of Granite Building Stone extracted in excess for which penalty has to be realized is **8,39,786** metric tonnes($1886405-1046619=8,39,786$). The lease holder is not

eligible for any further relaxations as claimed in the appeal. The Hon'ble High Court has observed that the circular dated 20.5.2009 vide No.8925/M3/2009 is not legally sustainable. The lease holder is liable to remit the royalty, price and compounding fee for the excess quantity of building stone transitted form the area.

CONCLUSION

The Committee recommends that an amount of Rupees **6,04,89,592/-** (Six crore four lakhs eighty nine thousand five hundred and ninety two only) towards royalty, price and compounding fee shall be realized from the lease holder, being the penalty for illegal extraction of **8,39,786** metric tonnes of granite building stone.

Rajkumar.M.S: Sr. Geologist

Shajikumar.T : Geologist

Shajimol : Geologist

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23/8/22
23/8/22
Shajimol
23/8/22

DMG/7857/2021-M2

719276/2022/FCS DMG

I/261617/2022

മൈനിംഗ് & ജിയോളജി ഡയറക്ടറുടെ നടപടിക്രമം

(ഹാജർ : ശ്രീ.എൻ.ദേവിദാസ് ഐ.എ.എസ്)

വിഷയം: മൈനിംഗ് & ജിയോളജി വകുപ്പ് - മെ.കവനന്റ് സ്റ്റോൺ പ്രൈവറ്റ് ലിമിറ്റഡ് - ക്വാറിയിംഗ് ലീസ് സ്ഥലങ്ങൾ പരിശോധന നടത്തുന്നതിന് ഉദ്യോഗസ്ഥരെ നിയമിച്ച് ഉത്തരവാകുന്നത് സംബന്ധിച്ച്

- പരാമർശം:
1. 19.8.2020 ലെ OA No.155/2020 നമ്പർ NGT ഉത്തരവ്
 2. 20.5.2011 ലെ 98/2011-12/3499/എം3/2011 നമ്പർ ഉത്തരവ്, 19.8.2015 ലെ 373/2015-16/1723/എം3/2015 നമ്പർ ഉത്തരവ്
 3. 16.7.22 ലെ GO (Rt) No.710/2022/ID നമ്പർ സർക്കാർ ഉത്തരവ്
 4. 10.8.2022 ലെ SEIAA യുടെ അദ്ധ്യക്ഷതയിൽ നടന്ന OA NGT No.155/2020 ജോയിന്റ് കമ്മിറ്റിയുടെ യോഗതീരുമാനം

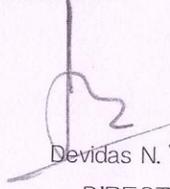
നമ്പർ.298/2022-23/DMG/7857/2021-M2 തിരുവനന്തപുരം. തീയതി 16-08-2022

ഉത്തരവ്

തിരുവനന്തപുരം ജില്ലയിൽ നെടുമങ്ങാട് താലൂക്കിൽ സൂചന (2) പ്രകാരം മെ.കവനന്റ് സ്റ്റോൺ പ്രൈവറ്റ് ലിമിറ്റഡ് എന്ന സ്ഥാപനത്തിന് കരിങ്കല്ല് ഗ്രാനൈറ്റ് ഡയമെൻഷൻ സ്റ്റോൺ ഖനനത്തിന് അനുവദിച്ച രണ്ട് ക്വാറിയിംഗ് ലീസ് സ്ഥലങ്ങൾ പരിശോധന നടത്തി റിപ്പോർട്ട് സമർപ്പിക്കുന്നതിന് താഴെ പറയുന്ന ഉദ്യോഗസ്ഥരെ ഉൾപ്പെടുത്തി ഒരു ജോയിന്റ് കമ്മിറ്റി രൂപീകരിച്ച് ഉത്തരവാകുന്നു.

1. ശ്രീ.എം.എസ്.രാജ് കുമാർ, സീനിയർ ജിയോളജിസ്റ്റ്, ജില്ലാ ഓഫീസ്, തിരുവനന്തപുരം
2. ശ്രീ.ഷാജികുമാർ.റ്റി, ജിയോളജിസ്റ്റ്, ഡയറക്ടറേറ്റ്
3. ശ്രീമതി.ഷാജിമോൾ.പി.കെ, ജിയോളജിസ്റ്റ്, ഡയറക്ടറേറ്റ്
4. ശ്രീ. മനീഷ് സി, സർവ്വേയർ

ടി കമ്മിറ്റി സ്ഥലം പരിശോധിച്ച് 20.8.2022-ന് മുൻപായി പരിശോധന റിപ്പോർട്ട് സമർപ്പിക്കേണ്ടതാണ്.



Devidas N. IAS
DIRECTOR

സ്വീകർത്താവ്: ശ്രീ.എം.എസ്.രാജ് കുമാർ, സീനിയർ ജിയോളജിസ്റ്റ്, ജില്ലാ ഓഫീസ്, തിരുവനന്തപുരം

2. ശ്രീ.ഷാജികുമാർ.റ്റി, ജിയോളജിസ്റ്റ്, ഡയറക്ടറേറ്റ്
3. ശ്രീമതി.ഷാജിമോൾ.പി.കെ, ജിയോളജിസ്റ്റ്, ഡയറക്ടറേറ്റ്
4. ശ്രീ. മനീഷ് സി, സർവ്വേയർ

പകർപ്പ്:

- 1) ഡെപ്യൂട്ടി ഡയറക്ടർ 1, 2
- 2) കരുതൽ ഫയൽ/അധിക പകർപ്പ്

രജിസ്ട്രേഡ്

നമ്പർ : 3445/ഡിഒറ്റി/എംഎൽ/2019

മൈനിങ് & ജിയോളജി വകുപ്പ്
ജില്ലാ ആഫീസ്, തിരുവനന്തപുരം
കേശവദാസപുരം, പട്ടം പാലസ് പി.ഒ.,
email : geo.thi.dmg@kerala.gov.in
Phone: 0471-2442055
തീയതി :07.09.2021

ഡിമാന്റ് നോട്ടീസ്

വിഷയം:- മൈനിങ് & ജിയോളജി - ഖനിയും ഖനിജങ്ങളും - ചെറുകിട ധാതു -
അലങ്കാരവിതാനശില/കരിങ്കല്ല് -ബഫർ സോണിൽ നിന്നും അനധികൃത
ഖനനം നടത്തിയത് നിയമനടപടി സ്വീകരിക്കുന്നത് - സംബന്ധിച്ച്.

- സൂചന:-
1. 2015-ലെ കേരള മൈനർ മിനറൽ കൺസഷൻ ചട്ടങ്ങൾ
 2. ഡയറക്ടർ ഓഫ് മൈനിങ് & ജിയോളജിയുടെ 19.08.2015 ലെ
373/2015-16/1723/എം3/2015 നമ്പർ ഉത്തരവ്
 3. ഈ ആഫീസിന്റെ 06.11.2020, 04.08.2011 തീയതികളിലെ സ്ഥലപരിശോധന
 4. 12.11.2020 ലെ മേൽ നമ്പർ കാരണം കാണിക്കൽ നോട്ടീസ്

മേൽ സൂചനകൾ ശ്രദ്ധിക്കുക. നെടുമങ്ങാട് താലൂക്കിൽ മാണിക്കൽ വില്ലേജിൽ റീസർവ്വെ
നമ്പർ 469/4-3-4, 4-3-3, 4-2, 4-1-1, 4-1-2 ൽ പെട്ട സ്ഥലത്ത് സൂചന (2) ആയി ഡയമൻഷൻ
സ്റ്റോൺ ഖനനം ചെയ്യുന്നതിനുള്ള അനുമതി നൽകിയിരുന്നു. ഈ ആഫീസിൽ നിന്നും 06.11.2020
നടത്തിയിട്ടുള്ള പരിശോധനയിൽ ഗ്രാനൈറ്റ് ബിൽഡിംഗ് സ്റ്റോൺ-ഡയമൻഷൻ സ്റ്റോൺ കോമൺ
ലീസ് ഏരിയയിൽ നിന്നും 3570 മെട്രിക് ടൺ GBS-GDS ഖനനം ചെയ്തിട്ടുള്ളതായും ഗ്രാനൈറ്റ്
ഡയമൻഷൻ സ്റ്റോൺ ലീസ് ഏരിയയുടെ വടക്ക് ഭാഗത്തുള്ള ബഫർ സോണിൽ നിന്നും 262.5
മെട്രിക് ടൺ ഗ്രാനൈറ്റ് ഡയമൻഷൻ സ്റ്റോൺ ഖനനം ചെയ്തിട്ടുള്ളതായും ബോധ്യപ്പെട്ടതിന്റെ
അടിസ്ഥാനത്തിൽ സൂചന (3) ആയി താങ്കൾക്ക് ഹിയറിങ് നോട്ടീസ് നൽകിയിരുന്നു. ഗ്രാനൈറ്റ്
ബിൽഡിംഗ് സ്റ്റോൺ, ഗ്രാനൈറ്റ് ഡയമൻഷൻ സ്റ്റോൺ കോമൺ ബൗണ്ടറിയിൽ നിന്നും താങ്കൾ
അനധികൃത ഖനനം നടത്തിയത് ഗ്രാനൈറ്റ് ബിൽഡിംഗ് സ്റ്റോൺ ആയാണോ ഗ്രാനൈറ്റ്
ഡയമൻഷൻ സ്റ്റോൺ ആയാണോ എന്ന് പരിശോധിക്കുന്നതിന്റെ ഭാഗമായി ഈ ആഫീസിൽ
നിന്നും 04.08.2021 ന് നടത്തിയ പരിശോധനയിൽ താങ്കൾ ഗ്രാനൈറ്റ് ബിൽഡിംഗ് സ്റ്റോൺ
ആയാണ് അനധികൃത ഖനനം നടത്തിയതെന്ന് ബോധ്യപ്പെട്ടിട്ടുണ്ട്. ആയതിന്റെ വിശദാംശങ്ങൾ
താഴെ കൊടുക്കുന്നു.

- a. ഗ്രാനൈറ്റ് ബിൽഡിംഗ് സ്റ്റോൺ, ഗ്രാനൈറ്റ് ഡയമൻഷൻ
സ്റ്റോൺ കോമൺ ബൗണ്ടറിയിലെ ബഫർ സോണിൽ നിന്നും
അനധികൃത ഖനനം നടത്തിയ ഗ്രാനൈറ്റ് ബിൽഡിംഗ് സ്റ്റോൺ ന്റെ അളവ് =3570 MT
- b. ഗ്രാനൈറ്റ് ഡയമൻഷൻ സ്റ്റോൺ ലീസ് ഏരിയയുടെ
ബഫർ സോണിൽ (469/4) നിന്നും അനധികൃത ഖനനം നടത്തിയ
ഗ്രാനൈറ്റ് ഡയമൻഷൻ സ്റ്റോണിന്റെ അളവ്
= 262.5MT

3570MT കരിങ്കല്ലിന്റെ റോയൽറ്റി (3570x24) = 85,680/-

വില 3570x48 = 1,71,360/-

262.5 MT അലങ്കാര വിതാനശിലയുടെ റോയൽറ്റി 262.5x2400

വില = ₹6,30,000/-

= 262.5x4800

പിഴ = ₹12,60,000/-

= 25,000/-

ആകെ = 21,72,040/-

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നെടുമങ്ങാട് താലൂക്കിൽ മാണിക്കൽ വില്ലേജിൽ റീസർവ്വെ നമ്പർ 469/4-3-4, 4-3-3, 4-2, 4-1-1, 4-1-2 ൽ പെട്ട സ്ഥലത്ത് അനുവദിച്ചിട്ടുള്ള ഗ്രാനൈറ്റ് ഡയമണ്ട്ഷൻ സോറോൺ ലീസ് ഏരിയയുടെ 3570MT കരിങ്കല്ലും ടി ലീസ് ഏരിയയുടെ സർവ്വെ നമ്പർ 469/4 ൽപെട്ട ബഹർ സോണിൽ നിന്നും 262.5 MT അലങ്കാരവിതാനശിലയും അനധികൃതമായി ഖനനം ചെയ്തുകൊടുത്തതിന് റോയൽറ്റിയും വിലയും പിഴയും ഉൾപ്പെടെ ആകെ 21,72,040/- ഈ നോട്ടീസ് ലഭിച്ച് 59 ദിവസത്തിനുള്ളിൽ ആഫീസിൽ ഹാജരായി ചെല്ലാൻ കൈപ്പറ്റി ട്രഷറിയിൽ ഒടുക്കി അസൽ ചെല്ലാൻ ഹാജരാക്കേണ്ടതാണ്. അല്ലാത്ത പക്ഷം താങ്കൾക്കെതിരെ ഇനിയൊരു അറിയിപ്പ് ഇല്ലാതെ തുടർനടപടികൾ സ്വീകരിക്കുന്നതായിരിക്കുന്നതാണെന്ന് ഇതിനാൽ അറിയിക്കുന്നു.

ജിയോളജിസ്റ്റ്

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

09/09/21