

**INDEPENDENT REPORT OF THE MEMBER OF THE COMMITTEE FORMED PURSUANT TO
THE ORDER OF THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE CHENNAI IN
O.A.NO.156 OF 2021 DATED 27.07.2021**

I, Tmt. N.R.Kamala, W/o Thiru.E.Saravanan, aged about 52 years working as Assistant Environment Engineer , SEIAA-TN (on deputation) do hereby solemnly affirm and sincerely state as follows:

2) It is respectfully submitted that, I am the Assistant Environment Engineer, State Level Environment Impact Assessment Authority , Tamil Nadu (SEIAA-TN). The Member Secretary, SEIAA-TN has nominated me as a member of the Joint Committee vide Lr.No. SEIAA-TN/NGT/O.A.No.156 of 2021/2021-1 dated 20/09/2021 and I am well acquainted with the facts of the case from the records available in this office and I am filing this independent report as per the order of the Hon'ble Tribunal.

3) It is respectfully submitted that, Thiru. B.Pasumpon Anand, S/o P.Bhagavathi , 53/19, Pillayar Kovil Street, Nesapakkam, West KK Nagar, Chennai – 600 078 has filed an Original Application No. 156 of 2021 (SZ) before the Hon'ble National Green Tribunal, Southern Zone, Chennai against the 8th respondent, Thiru S. Murali alleging rough stone and gravel quarrying activity earlier in S.F.No. 7/1A1 at Avirimedu Village, Maduranthagam Taluk, Kancheepuram District and subsequently in S.F.No. 3/1, 3/2, 3/3, 3/4, 4/1A, 4/1B, 4/1C, 4/1D, 4/1E, 4/2A1, 4/2A2, 4/2A3, 4/2A4, 4/2A5, 4/2A6, 4/2C1, 4/2C2 and 4/2C3 of Avirimedu village, Maduranthagam Taluk, Chengalpattu District.

4) It is further respectfully submitted that, the Hon'ble National Green Tribunal, Southern Zone, Chennai in Para 10 of the order dated 27.07.2021 formed a joint committee and directed the Committee to inspect the area in question and to submit a factual as well as action taken if there is any violation found.

5) It is further respectfully submitted that, the Hon'ble National Green Tribunal, Southern Zone, Chennai in Para 11 of the order dated 27.07.2021 has directed the committee to ascertain the following facts:

i) Whether there was any violation of conditions imposed in the environment clearance, and consent to establish as well as consent to operate granted in favour of the 8th respondent, while carrying out the quarrying operation in the earlier portion and also in the subsequent portion.

ii) whether any excess mining done by the 8th Respondent and if so , what is the quantity of excess mining done

iii) if excess mining done , what is the nature of action taken by the authorities , including imposition of environmental compensation, apart from realizing royalty and penalty as provided under the respective rules.

iv) whether the pollution control mechanisms provided by the 8th respondent is sufficient and whether they are in operation in conformity with the standard prescribed and if there is any deficiency , what is the remedial measure to be provided

v) If the quality of air or water has been affected in that area, then what is the nature of action taken by the regulators including suggestion of remedial measures to rectify the same.

vi) whether the dust emanated from the quarrying area affected the surroundings including the ground water quality and causing inconvenience to the residents in the nearby area and also damage(if any) caused to the agricultural properties in the nearby neighboring area

vii) whether any environment damage has been caused on account of unscientific manner in both the places where he obtained Environmental Clearance (EC) and if so, the committee is directed to access the environmental compensation to be recovered from him apart from providing remedial measures for restoring the damage caused to the environment.

The Committee is also directed to ascertain the Ambient Air Quality and also the ground water quality in that area and if there is any contamination caused, the committee is directed to suggest the remedial measures to resolve the same.

The respondents are also directed to file their independent response before this Tribunal to the allegations made in the application.

6) It is respectfully submitted that, the project proponent Thiru.S.Murali has submitted an application dated 29/05/2020 received by SEIAA-TN on 01/06/2020 seeking Environment Clearance for quarrying Rough Stone and Gravel over an extent of 2.34.50 ha at S.F.Nos. 3/1, 3/2, 3/3, 3/4, 4/1A, 4/1B, 4/1C, 4/1D, 4/1E, 4/2A1, 4/2A3, 4/2A4, 4/2A5, 4/2A6, 4/2C1, 4/2C2 and 4/2C3 of Avirimedu Village, Madhurantakam Taluk, Chengalpattu District.

7) It is respectfully submitted that, the proposal seeking Environmental Clearance was placed in the 174th meeting of State Level Expert Assessment Committee (SEAC) held on 12/09/2020 and the committee recommended Environmental Clearance for the project subject to certain conditions.

8) It is respectfully submitted that, the above said proposal was subsequently placed in the 403rd meeting of the State Level Environment Impact Assessment Authority held on 13/10/2020 and the Authority has issued Environmental clearance for the period of five years from the date of execution of mining lease vide Lr.No. SEIAA-TN/F.No. 7553/1(a)/EC.No:4405/2020 dated : 21/10/2020.

9) It is further respectfully submitted that, incidentally Thiru. S.Murali , was also issued with an Environmental Clearance by the State Level Impact Assessment Authority for a period of five years from the date of execution of lease deed vide Lr. No. SEIAA-TN /F.No. 1072/EC/1(a)/299/2013 dated 15/05/2013 subject to the conditions stipulated there in for quarrying Rough Stone in S.F.No. 7/1A1 and the details furnished in the Joint Committee Report.

10) It is respectfully submitted that, as directed by the Hon'ble NATIONAL Green Tribunal, Southern zone, Chennai a joint committee was constituted and the committee inspected the site on 05/10/2021.

I submit that, there has been difference between the permitted values and the actuals at site.

Subsequently, the Officials of the Revenue and Survey Departments had identified the boundaries of the area granted under lease in respect of leases mentioned by the petitioner in Avarimedu Village and the dimensions of the quarried pit had been measured using the Total Survey Station instruments on 18/10/2021.

The same was also verified by the Revenue and Survey Department officials on 27/10/2021.

The Topographical sketch was also prepared by the Sub-Inspector of Survey, O/o the Deputy Director, Geology and Mining, Krishnagiri on 30/10/2021.

11) It is respectfully submitted that the details of violations done within the lease hold area and non lease hold area , the details of damage caused to the environment and the environmental compensation including the cost

required for restoration of damage caused to the environment and the steps to be taken in accordance with law is submitted in the joint inspection report.

12) It is therefore humbly prayed that this Hon'ble National Green Tribunal, Southern zone, Chennai may be pleased to accept this individual response as may be deem to fit and proper in light of the facts and circumstances of this case and thus render justice.



(N.R.KAMALA)
AEE-SEIAA-TN

Member –Joint Committee