

OBEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Original Application No.170 of 2021(SZ)

IN THE MATTER OF :

Tribunal on its own motion Suo Motu based on the news item published in The Times of India, Newspaper, Edition dt. 13.07.2021, "Kanchi Hillocks face destruction by mining mafia".

... Applicant(s)

-Versus-

1. The Principal Secretary to Govt. of Tamil Nadu,
Revenue and Disaster Management Department,
Government Secretariat, Fort, St. George,
Chennai – 600 009.
2. The Principal Secretary to Government of Tamil Nadu,
Department of Environment,
Climate Change & Forests,
Government Secretariat, Fort, St. George,
Chennai – 600 009.
3. The Principal Secretary to Government of Tamil Nadu
Industries Department,
Government Secretariat, Fort, St. George,
Chennai – 600 009.
4. The Chairman,
Tamil Nadu Pollution Control Board,
No. 76, Anna Salai, Guindy,
Chennai, Tamil Nadu – 600 032.
5. Director of Geology and Mining,
Rep, by its Director,
Alandur Road, Guindy Industrial Estate,
Guindy, Chennai – 600 032.
6. The District Collector,
Kancheepuram District,
First Floor, Collectorate,
Kancheepuram – 631 501.


ASSISTANT GEOLOGIST,
GEOLOGY AND MINING,
KANCHEEPURAM DISTRICT


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

7. Department of Geology and Mining,
Kancheepuram District,
Rep, by its Assistant Director,
Kancheepuram – 631 501.
8. Uthiramerur Town Panchayat,
Rep, by its Executive Officer,
Periyannarasam Pettai Street,
Uthiramerur, Kancheepuram – 603 406.
9. State Level Environment Impact Assessment Authority,
Tamil Nadu (TNSEIAA),
Represented by its Chairman,
3rd Floor, Panagal Maaligai,
No. 1, Jeenis Road, Saidapet,
Chennai, Tamil Nadu – 600 015.
10. Uthiramerur Panchayat Union,
Rep. by its Block Development Officer,
Uthiramerur, Kancheepuram.

...Respondent(s)

**INDEPENDENT RESPONSES FILED BY THE 7RD RESPONDENT,
THE ASSISTANT DIRECTOR, GEOLOGY AND MINING,
KANCHEEPURAM.**

I, Thiru.D.Gnanavel, S/o.Thiru. M.Deivasigamani, Hindu, aged about 44 years working as Assistant Director (i/c), Geology and Mining, Kancheepuram do hereby solemnly affirm and sincerely state as follows:-

2) I am the 7th respondent herein and as such I am well acquainted with the facts and circumstances of the case from the records available with our office. I filed this independent responses as per order dated 22.08.2021 of this Hon'ble Tribunal in time.

3) It is respectfully submitted that, the Hon'ble National Green Tribunal, Southern Zone, Chennai on its Suo Motu motion have registered an Original Application No.170 of 2021 (SZ), in its order dated 10.08.2021 under the caption "Kanchi hillock's face destruction by mining mafia" on the basis of the newspaper report


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published in The Times of India Newspaper, Chennai, Edition dated 18.07.2021.

4) It is respectfully submitted that the Hon'ble National Green Tribunal (SZ) in its order dated 10.08.2021 has appointed Department of Geology and Mining as a Nodal Agency and also directed to appoint a Joint Committee comprising of

- (i) The District Collector, Kancheepuram District, or a Senior Officer not below the rank of Assistant Collector/Sub-Divisional Magistrate as deputed by him.
- (ii) A Senior Officer / Scientist from the State Level Environment Impact Assessment Authority, Tamil Nadu (TNSEIAA).
- (iii) A Senior Officer from the Tamil Nadu State Pollution Control Board (TNPCB) as deputed by its Chairman.
- (iv) The Assistant Director of Geology and Mining, Kancheepuram.

5) It is respectfully submitted that, the Hon'ble this Tribunal has directed the Committee to ascertain certain the following facts.

- i) *How many quarries are functioning in that area*
- ii) *Whether all the quarries are having necessary environmental clearance and other permission.*
- iii) *Whether they are complying with all the conditions imposed in the environmental clearance as well as the consent granted by the Tamil Nadu Pollution Control Board (TNPCB), in order to check the possible pollution that is likely to be caused on account of their operation.*
- iv) *Whether any excessive/unscientific mining has done by them, so as to cause damage to the topography and*


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terrain from where this stone quarrying work is being done,

- v) If there is any excess mining done by them, then, what is the quantity of excess mining and assess the value of the same and imposed environmental compensation apart from collecting the royalty and penalty as provided under the respective rules.
- vi) If there is any damage caused to the environment, due to excess mining/unscientific mining or quarrying that is being undertaken by them, then, suggest the methodology for restoring the damage caused to the environment and fixing the liability of the persons, who were responsible for the same.
- vii) If there is any violation of conditions imposed , then assess the environmental compensation for the violation of the conditions as directed by the Principal Bench Nation Green Tribunal in similar matters on the basis of the guidelines given by the Central Pollution Control Board (CPCB) in this regard.
- viii) If there is any deficiency committed by the Pollution Control Mechanism, then the committee is directed to provide the methodology by which the same can be improved, so as to avoid possible pollution being caused on account of the quarrying operation that is being undertaken by the persons.

The Committee is directed to submit the report in this regard to this tribunal on or before 22.09.2021, by e-filing in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF along with necessary hard copies to be produced as per rules.

6) It is respectfully submitted that, in compliance to the Hon'ble National Green Tribunal [South Zone] order, the District Collector has nominated Tmt.P.Rajalakshmi, the Revenue


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Divisional Officer, Kancheepuram vide Rc.280/Q3/2021 dated 28.08.2021 as a member of Joint Committee for conducting inspection and submit detailed report of the subject quarry.

7) It is respectfully submitted that, the State Level Environment Impact Assessment Authority vide letter No.SEIAA-TN/NGT/O.A.No.170 of 2021/2021-2 dated 11.10.2021 had deputed Thiru. P. Murali Assistant Engineer, SEIAA Tamil Nadu, Chennai as a member of the Joint Committee.

8) It is respectfully submitted that, the Member Secretary, Tamil Nadu Pollution Control Board vide letter No.TNPSC/LAW/LA-III/NGT/017410/2021 dated 06.09.2021 has nominated Er.P.Ravichandran,M.E., District Environmental Engineer, Kancheepuram District as a member of the Joint committee.

9) It is respectfully submitted that, accordingly, the members of the joint Committed is given as under.

1. Tmt.P.Rajalakshmi,
Revenue Divisional Officer,
Kancheepuram. - Member
2. Er.P.Ravichandran,
District Environmental Engineer
Tamil Nadu Pollution Control Board,
Kanchipuram District. - Member
3. P. Murali.
Assistant Engineer,
SEIAA Tamil Nadu, Chennai. - Member
4. Thiru.D.Gnanavel,
Assistant Director,(i/c)
Geology and Mining,
Kancheepuram. - Member

10) It is respectfully submitted that, The Joint Committee had inspected the following villages dated on 18.10.2021.


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i) **Nerkundram village, Uthiramerur Taluk:** I observed that at present there is no existing quarry and crushing units in the Nerkundram village.

ii) **Edamachi village, Uthiramerur Taluk:** I observed that one Thiru.R.Giridharan S/o.Rajendiran has applied for quarrying of Rough Stone and Gravel over an extent of 2.77.0 Hect in SF.No.367/1, 367/2, 368/1G, 368/1H, 368/1I, 376/1, 376/2, 376/3, 376/4 376/5. In this connection the Mining plan submitted by the applicant has been approved by the Assistant Director Geology and Mining vide Rc.No.47/Q3/2020 dated.20.11.2020. Now, the applicant has applied for Environmental Clearance before the State level Environment Impact Assessment Authority. Therefore, it is observed that there are no existing quarry and crushing units in Edamachi village.

iii) **Kunnavakkam village, Uthiramerur Taluk:** I observed that, there are 2 Rough stone and Earth quarry leases had been granted in Government land SF.No.122 (Part) Quarry No.2 (**Lease:-1**) and 3 (**Lease:-2**) of Kunnavakkam village in Uthiramerur and the same have been expired during the year 2002 and 2015 respectively. Therefore, it is observed that there are no existing quarry and crushing units in Kunnavakkam village.

Lease:-1. A rough stone quarry lease had been granted to Thiru.S.Rajagopal Reddiyar S/o.S.Rama Reddiyar, Karikili village, Nelvoy Post, Madurantakam Taluk over an extent of 5.00.0 Hectares in Government Poramboke land in SF.No.122 (Part) Quarry No.2 of Kunnavakkam village, Uthiramerur Taluk for a period of five years period from 19.06.1997 to 18.06.2002, vide District Collector Proceeding RC.No.786/97/Q3, dt.19.06.1997. The lease has been expired on 18.06.2002. Presently, the quarry pit has abandoned and it has been partially filled with rain water.


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Lease:-2. A rough stone quarry lease had been granted to Thiru.D.Siva S/o.Devaraja Reddiyar, Thottanaval village, Uthiramerur Taluk over an extent of 5.00.0 Hectares in Government Poramboke land in SF.No.122 (Part) Quarry No.3 of Kunnavakkam village, Uthiramerur Taluk for a period of Ten years period from 22.08.2005 to 21.08.2015, vide District Collector Proceeding RC.No.1264/2005/Q1, dt.18.08.2005. The same lease has been expired on 21.08.2015. Presently, the quarry pit has abandoned and it has been partially filled with rain water.

iv) **Paleswaram village, Uthiramerur Taluk:** I observed that a Rough stone quarry lease had been granted to Thiru.D.Srinivasan S/o.Devarajalu Reddiyar, Thotta Naval Village, Kunnavakkam Post, Uthiramerur Taluk over an extent of 5.00.0 Hectares in Government Poramboke land in SF.No.164 (Part) of Paleswaram village, Uthiramerur Taluk for a period from 02.02.1996 to 31.03.2000, vide District Collector Proceeding RC.No.2027/95/Q3, dt.02.02.1996. The same lease has been expired on 31.03.2000 and the lease has extended for the period from 1.4.2000 to 1.2.2001 vide District Collector, Kancheepuram Proceedings Rc.2027/95-Q3 dated 10.06.2000, and the same has been expired. Presently, the quarry pit has abandoned and it has been partially filled with rain water.

Further, one Thiru. R. Giridharan S/o. Rajendiran has applied for quarrying of Rough Stone and Gravel over an extent of 1.42.00 Hect. in SF.Nos.166/1, 166/2, 166/3 in patta land in Paleswaram village of Uthiramerur Taluk Kancheepuram District on 16.06.2020. In this connection, vide letter Rc.No.134/Q3/2020 dated 30.06.2020 had been requested the Revenue Divisional Officer, Kancheepuram to furnished the land availability report. Accordingly, Revenue Divisional Officer, Kancheepuram submitted report vide Rc.No.4248/2020/1,


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dated. 28.07.2021. In view of the above, it is observed that there are no existing quarry and crushing units in Paleswaram village.

v) **Mambuthur village of Uthiramerur Taluk:** I Observed that one Thiru K.Vasan S/o. C.Kanniappan has applied for quarrying of Rough Stone and Gravel in over an extent of 2.01.0 Hect of patta lands in SF.No.121/1E2, 121/1F2, 122/2A3, 122/2B1, 193/1A3B, 193/1A4. Subsequently, the applicant has obtained Environment Clearance vide Letter No. SEIAA-TN/F.No.8127/EC.No.4515/2020 dated 20.02.2021 and also the applicant has obtained Consent (order No.2105239047184 dt.23.07.2021) vide Proc.No.F.2767/ SPR / RS/ DEE/ TNPCB/ SPR/A-2021dt. 23.07.2021. Consequently, a lease has been granted to Thiru. K.Vasan S/o.C.Kanniappan for quarrying of Rough Stone and Gravel in over an extent of 2.01.0 Hect of patta lands in SF.No.121/1E2, 121/1F2, 122/2A3, 122/2B1, 193/1A3B, 193/1A4 vide Assistant Director, Kancheepuram Proceedings Rc.No.53/Q3/2020 dt.26.02.2021. The lease deed has been executed on 26.02.2021 and the quarry to be expiry on 25.02.2031. Further, the lessee has not commenced quarrying operation in the subject area. Apart from above, there are no existing quarrying and crushing units in Mambuthur village

11) In view of the above, it is therefore humbly prayed that this Hon'ble National Green Tribunal, Southern Zone, Chennai may be pleased to accept this individual response and may deem fit and proper in the fact and circumstance of this case and thus justice.

Solemnly affirmed at Kancheepuram
On this 28th day of October 2021 and
signed his name in my presence


**Assistant Director (I/c),
Geology and Mining,
Kancheepuram,
BEFORE ME**


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VERIFICATION

I, Thiru. D.Gnanavel, working as Assistant Director (i/c),
Geology and Mining, Kancheepuram District do hereby verify that
the contents of above report are true to the best of my knowledge
through records.

Verified at Kancheepuram on this 25th day of October 2021.


**Assistant Director (I/c),
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