

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No. 175 of 2021 (SZ)

IN THE MATTER OF:

Thiru.P.Raja Rao,

Kallukurukki, Krishnagiri – 635 002

...Applicant(s)

Versus

The Commissioner,

Geology and Mining Department and Others

...Respondent(s)

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Through

Dr. D. Shanmuganathan

Standing Counsel

National Green Tribunal

Southern Zone

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Original Application No.175 of 2021(SZ)

IN THE MATTER OF:

Thiru.P.Raja Rao,
S/o. Pandurangan Rao,
Ex-president – Kallukurukki Panchayat,
1/428, New Housing Board,
Sathya Sai Nagar, Kallukurukki,
Krishnagiri - 635002

...

Applicant(s)

- Vs. -

- 1) The Commissioner,
Geology and Mining Department,
Government of TamilNadu,
Alandur Road, Guindy,
Industrial Estate, Guindy,
Chennai - 600 032.
- 2) The District Collector,
Collectorate,
Krishnagiri District,
Krishnagiri – 635 115.
- 3) The Assistant Director,
Geology and Mining Department,
Krishnagiri Collectorate Complex,
Krishnagiri - 635001.
- 5) The Member Secretary,
Tamil Nadu Pollution Control Board,
No.76, Mount Road,
Guindy, Chennai- 600 032.
- 6) The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Krishnagiri District,
Krishnagiri – 635126.

- 7) M.Venkatraman,
S/o. M.Muniyappan,
D.No.3/245, Azad Nagar,
Venkatapuram,
Krishnagiri Town & Taluk,
Krishnagiri 635001.
- 8) V.Rajesh,
S/o. M.Venkataraman,
D.No.3/245, Azad Nagar,
Venkatapuram,
Krishnagiri Town & Taluk,
Krishnagiri -635001.

... Respondent(s)

STATUS REPORT FILED BY THE 2nd RESPONDENT.

I, Thiru.Deepak Jacob S/o. Jacob Kutty aged about 35 years, residing at Collector's Bungalow, Krishnagiri-635115 working as District Collector, Krishnagiri District do solemnly affirm and sincerely state as follows:

1) I am the 2nd respondent herein and as such I am well acquainted with facts of the case from the available records. I am filling this status report in connection with the order passed by the Hon'ble National Green Tribunal Southern Zone Chennai dated: 13.04.2023 in O.A.No.175 of 2021 in which the Hon'ble National Green Tribunal has adjourned the matter on 08.05.2023 for filing further action taken report by the authorities.

2) It is submitted that, the District Administration have always taken stringent action to curtail illicit quarrying and transportation of mineral and also taken effective steps to increase the mineral revenue.

- i. The action taken in this regard is submitted below,
 a. Illicit Quarrying detected for the last two years:

Sl. No	Mineral	No. of cases detected	No. of cases which penalty levied	Amount of penalty levied	Penalty Collected
1	Granite	09	02	1,16,42,35,539	--
2	Gravel	12	--	To be levied by the RDO	--
3	Rough Stone	36	19	2,05,32,16,944	20,00,000
	TOTAL	55	21	3,21,81,18,227	20,00,000

The Sub Collector / Revenue Divisional Officer has to conduct enquiry and the final orders to be passed by the Sub Collector / Revenue Divisional Officer. Appeal provision is also stipulated in TNMMCR 1959. Out of 21 cases 03 appeal petitions has to be disposed by the District Collector, 05 appeal petition has to be disposed by the Commissioner of Geology and Mining and penalty part amount remitted in 01 case. For the remaining 12 cases for which penalty levied, action will be initiated to collect the penalty. For other cases action has already been initiated to levy the penalty early.

- b. During the year 2021-22, 111 number of vehicles have been seized for the unauthorised transportation of minerals and for the year 2022-23, 120 number of vehicles have been seized and action has been initiated against the offenders and the cases are dealt by the District Court as per G.O.(Ms).No.170 Industries (MMC.2) Department dated: 05.08.2020.

- c. As per G.O.(Ms).No.19 Industries (MMC.2) Department dated: 14.02.2022, the District Administration has instructed the Revenue officials to inspect all the quarries as per the monthly target fixed for them. Accordingly, they have regularly inspected the quarries and due to regular inspection the illegal activities has also been minimized. The details of Target fixed for the revenue officials are given as detailed below.

Sl. No	Official	Monthly target for inspection of quarries
1	District Collector	03 Nos or 5%
2	District Revenue Officer	05 Nos or 10%
3	Revenue Divisional officer	10 Nos or 25%
4	Tahsildar	50%
5	Revenue Inspector	75%
6	Village Administrative Officer	100%

- d. As instructed by the Government, the Commissioner of Geology and Mining vide letter Rc.No.2921/MM4/2016 dated: 09.03.2021 have authorised 09 agencies for carrying out DGPS survey for all the quarries and accordingly, the quarry owners have been instructed to carryout DGPS survey work vide memo dated: 31.08.2021. Reports have been received from the lessees for 44 leases and survey work completed for 34 leases. Action will be initiated to complete the DGPS survey for the remaining quarries.
- e. In order to monitor the movement of the vehicles CCTV cameras were functional in 10 interstate border locations which are monitored by 03 Centralised

Control Rooms situated in the i)Collectorate, ii) SP office, Krishnagiri and iii) the O/o. the Deputy Director (G & M), Krishnagiri. Further, Superintendent of Police, Krishnagiri has already been instructed vide letter dated: 09.02.2023 to issue suitable instructions to the Police Officials who are in duty in the border check post to check the mineral bearing vehicles to ensure whether the vehicles are carrying mineral with valid transport permit.

- f. Since, the Government and District Administration has taken effective steps to curtail illicit quarrying / transportation of mineral and accordingly the mineral revenue has been achieved in an increasing trend during the current year.

Sl. No	Year	Revenue Collected (in Rs.)
1	2019-2020	43,75,87,870
2	2020-2021	46,16,73,311
3	2021-2022	71,15,45,483
4	2022-2023	109,84,24,365

- g. Based on the report submitted by the special team constituted by the Director of Geology and Mining, in connection with the lease granted areas in Government land S.F.No.603/1(part-3) and 603/1(Part-4) of Panchakshipuram village for which quarry leases are granted infavour of Thiru.ArunKumar and Thiru.P.Kalaikovan, the Commissioner of Geology and Mining vide proceedings dated: Rc.8828/MM1/2022 dated: 30.12.2022 has levied penalty of Rs.66,17,215/- to Thiru.P.Kalaikovan for the quantity of 14457cbm of rough stone

transported without valid permit from the lease hold area with a direction to remit Rs.10,00,000/- initially and Rs.3,00,000/- in each monthly instalment. Accordingly, so far he has remitted Rs.23,70,592/- as penalty.

- h. Further the special team constituted by the District Collector under the Chairmanship of Sub Collector Hosur has inspected all the quarries situated near by Koratagiri village and based on the report the Sub Collector has levied penalty as per TNMMCR 1959 with a provision to file appeal before the Commissioner of Geology and Mining within a period of 30 days as per rule 36-C(1) of TNMMCR as detailed below. Further in the said orders, the Sub Collector has severely instructed the lessees that if the violations are continued stringent action will be initiated against the lessees concerned.

Quarry Leases situated near Koratagiri Area.

Sl. No.	Name and address of the lessee	Village & Taluk, SF.No. Extent (in Hect) and G.O.No./ Proceedings & Lease Period	Status	Inspection remarks	Action Taken File No.	Remarks if any
1	Tvl. M.M. Blue Metals, NO. 1 RTO Building Mathigiri Four Roadd, Hosur 635 110 Krishnagiri District.	Panchakshipuram Hosur Taluk, SF.No.755(P-2) Ext: 4.80.0 Roc. 96/2016 (Mines) Dt. 17.8.2016. 22.08.2016 to 21.08.2026.	Quarry non operational - Lease is in existence	Excess quantity of 76584cbm of rough stone removed without valid permit.	Sub Collector levied penalty of Rs. 2,26,17,315/- vide order dated: 03.04.2023. (Received on 19.04.2023)	Further action will be initiated to collect the penalty
2	Tvl. Blue Stone Enterprises, Panchakshipuram Hosur Taluk, Krishnagiri District	Panchakshipuram Hosur Taluk, SF.No.559/2(P) Ext: 0.90.0 Roc. 95/2016 (Mines) Dt 08.08.2016 22.08.2016 to 21.08.2026	Quarry non operational - Lease is in existence	As per the report of the Assistant Geologist (Mines) and Sub Inspector of Survey (Mines) no outside quarrying is noticed and since water is stagnated in the quarried pit, it is not able to measure the pit at present.		

3	Thiru K. Gopinath, S/o Kothandaramaiah, No. 1/115, Doripalli Village, shoolagiri Taluk, Krishnagiri District	Panchakshipuram Hosur Taluk, SF.No.603/1(P-B) Ext: 2.50.0 Roc. 183/2018/ Mines dated 06.12.2019 06.12.2019 to 05.12.2024	Permit lastly issued on .11.01.2023	Excess quantity of 186272cbm of rough stone removed without valid permit. Further the lessee has encroached the adjacent Government land and carried out illicit quarrying of rough stone of 303078cbm in the non lease S.F.761.	Sub Collector levied penalty of Rs. 25,95,52,930/ - vide order dated: 26.03.2023. (Received on 19.04.2023)	Appeal filed before the District Collector vide letter dated: 21.04.2023
4	Thiru H.S. Srinath, S/o Sundar Raj, No. 219 near Milk Dairy, Huskur, Anekal Taluk, Bangalore District, Karnataka State	Thandarai Vill, Denkanikottai Tk, SF.No.738/1, Ext:4.00.0hectrs Roc. 110/2016/ Mines dated 19.06.2019. 19.06.2019 to 18.08.2029	Permit lastly issued on 18.01.2023	Excess quantity of 680359cbm of rough stone removed without valid permit.	Sub Collector levied penalty of Rs. 20,07,30,905/ - vide order dated: 26.03.2023. Received on 19.04.2023)	-
5.	Tmt. Sundaraleela W/o. Bharat Jeganathan, Phase 6 No.56, H-35, Avalapalli Hudco, Hosur	17.05.2022 to 16.05.2032	Quarry operation not yet commenced		--	--
6.	Thiru.M.K.Ravikiran, S/o. Krishnareddy, No.126DN, Badvane, Muthusandra-Po, Varthur, Hosakota Tk, Bangalore	14.06.2022 to 13.06.2027	Permit lastly issued on 03.05.2023	Excess quantity of 35000cbm of rough stone removed without valid permit.	1. Sub Collector levied penalty of Rs. 1,03,49,855/- vide order dated: 26.03.2023. Received on 19.04.2023. 2. CGM has levied revised penalty of Rs.25,64,971/- and directed to remit in 06 instalment. He has remitted 1 st instalment on 03.05.2023 with a tune of Rs.4,27,500/-	Appeal filed before the District Collector vide letter dated: 25.04.2023 and with CGM on 28.04.2023

Quarry Leases covered in the subject O.A.No.175/2021

Sl. No.	Name of the lessee	Village & Taluk, SF.No. Extent (in Hect) and G.O.No./ Proceedings & Lease Period	Status	Inspection remarks	Action Taken File No.	Remarks if any
1	Thiru.M.Venkataraman	Kallukurukki village, Krishnagiri taluk, S.F.399/1(Part-A) Ext:5.00.0 hect Rc.No.612/2009/ Mines-1 dated:27.10.2009 11.06.2010 to 10.06.2015 and 19.06.2019 to 18.03.2022 (as per Hon'ble High Court order in W.A.No.983/2017 and C.M.P. No.13762/2017 order dated 30.08.2017 to compensate the loss of lease period for the non operative period of 02 years and 09 months.)	Quarry lease Expired	1. Excess permit in the lease granted area than the quarried pit. 2. Illicit quarrying in the adjacent non lease area with a quantity of 30872cbm of rough stone.	1. Sub Collector levied penalty of Rs.3,17,67,288/- vide order dated: 17.02.2022. 2. The District Collector vide order dated: 17.10.2022 has dismissed the appeal petition with a direction to remit the penalty of Rs.2,63,27,944/- by partially modifying the order of the Revenue Divisional Officer. 3.Thiru.Venkataraman has filed 2 nd appeal before the Commissioner of Geology and Mining and the order is awaited.	Further action will be initiated to collect the penalty on the outcome of orders to be passed by the CGM on the pending appeal.

5. It is submitted that, the District Administration has always taken sincere and effective steps for curtailing illicit quarrying / transportation of mineral. Hence, it is humbly prayed that the Hon'ble National Green Tribunal South Zone may be pleased to consider the status report and also to dismiss the O.A.No.175 of 2021 filed before the Hon'ble National Green Tribunal South Zone as devoid of merits and thus render justice.

Mund
SKS
BEFORE ME
District Collector
Krishnagiri.

2/2
05.05.23
DD(M)