

BEFORE THE NGT
SOUTHERN ZONE AT
CHENNAI
Appln. No.179 of 2020 (SZ)

OBJECTIONS TO THE JOINT
COMMITTEE REPORT

T/c.
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BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT
CHENNAI

Application No. 179 of 2020

Between

P. Gengaiyan (72 years)

Son of Perumal Naidu

No.43 Maharal Village

Kooduvalli Post

Thiruvallur Taluk & District

AND

Applicant

.....

2 The Assistant Director of Mines & Minerals
O/o The District Collector, Tiruvallur

3 The Superintending Engineer
Public Works Department, Tiruvallur 1

4 The Secretary
State Level Environment Impact Assessment Authority
Panagal Buildings, Chennai 600 015

5 The Revenue Divisional Officer, Tiruvallur

6 The Tahsildar, Tiruvallur

7 The Special Office/Block Development Officer,
Ellapuram Panchayat Union,
Ellapuram, Thiruvallur District

Respondents

that "known to the authorities" there only 13 persons who have been granted quarry licence, by the District Collector. The word "known" signifies the reality that illegal quarrying is being going on, behind the blind eyes of the authorities, for various unpatriotic reasons. The 4th respondent, has given clearance for 3 persons, notwithstanding the Orders of this Tribunal, in O.A.No.64 of 2015. With the assistance of the police authorities and local heavy weights, these 3 persons, had been continuing with quarry operations, illegally. The 2nd respondent, has been repeated stating that there were no quarry license granted since 2015, which is contrary to the stand of the 4th respondent. The dark reality is none of these authorities work in unison, but work independently as per their own whims & fancies, setting at know the norms of environmental protection laws.

4 None of the authority had spoken about "sluice gate", its level, how far the parameters in GO Ms.938 has been violated, the steps taken to implement the directions thereof, etc., which shows the ignorant attitude of the respondents, to see that the present OA is closed for one reason or the other.

5 The applicant would submit that the very object of Green Tribunal formation is to protect the environment. The present scenario, as per the contradictory statements by various authorities, leads to an irresistible conclusion that the environment, first, requires to be protected from the whimsical conduct of the authorities. As such the functioning these authorities has to be monitored and supervised continuously by this Honourable Tribunal reportable every month. Or else, the authorities themselves for one reason or the other would ruin the environment.

The applicant therefore pray that this Honourable Tribunal may be pleased to reject the Joint Committee report dated 15.2.2022 to issue orders appointing an Advocate Commissioner, to re-inspect the Magaral Lake, (S.No.216 Periya Eri) with notice and participation of the applicant and respondents and to file a report as to entire Magaral Lake, as to its floor level and pit-depth level, location of sluice gate, etc.. and thus render justice.

24th Feb 2022
Dated at Chennai this the 27th day of Dec. 2021

COUNSEL FOR THE APPLICANT

A. H. M.

OBJECTIONS TO THE JOINT COMMITTEE REPORT
DATED 15.2.2022

1 The Applicant submits that the Joint Committee report filed before this Honourable Tribunal, is liable to be rejected in limine, without dwelling deep into its contents, as the same is beyond the scope of the Original Application and the Orders of this Honourable Tribunal.

2 A cursory reading of the JC Report reveal that the none of the respondents or their officers, have any scant regard for the environment or the rules and regulations as envisaged in various environment protection orders, circulars, etc., issued by the Government, then and there.

3 The applicant states that he has come before this Tribunal to prevent illegal quarrying at Magaral Lake, leading to several pits with various depth levels at various points in the Lake. Instead of reporting the different depth levels in the lake and the cause(s) for the same, which could only be illegal quarrying, the Joint Committee had made an eye-wash, in referring to encroachments, but never uttered any single word about grant of illegal quarry. In fact, in place, it has been alleged,