

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE
BENCH, CHENNAI**

APPEAL NO. 18 of 2023

IN THE MATTER OF: -

P. Indumathi

.... Applicant

Versus

The Member Secretary, SEIAA and Ors.

.... Respondent

**ADDITIONAL COUNTER AFFIDAVIT FILED ON BEHALF OF STATE
LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA)**



Filed by:
G.M. SYED NURULLAH SHERIFF
Senior Standing Counsel
MoEF & Cc.
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Counsel for Respondent no. 1

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE AT CHENNAI**

Appeal No. 18 of 2023

IN THE MATTER OF:

P. INDUMATHI,

W/o. Gopal, aged about 29 years,
E1, East Street, Kuzhanthaikuppam,
Vilangalpattu, Vanamadevi Post,
Cuddalore Taluk & District – 607105
E-Mail id: gopal18nandha@gmail.com
Phone Number: 944543308

..... Applicant

Versus

**1. The STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
TAMIL NADU**

Third Floor, Panagal Maligai,
No.1, Jeenis Road, Saidapet, Chennai- 600015.
Phone : 044- 24359973
Email.: mstnseiaa@yahoo.com

2. STATE LEVEL EXPERT APPRAISAL COMMITTEE,

Through the Member Secretary
Third Floor, Panagal Maligai,
No.1, Jeenis Road, Saidapet, Chennai- 600015.
Phone: 044- 24359973
Email: mstnseiaa@yahoo.com

.....Respondents

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ADDITIONAL COUNTER AFFIDAVIT FILED ON BEHALF OF 1st and 2nd
RESPONDENTS

I, Deepak S. Bilgi, I.F.S., S/o Mr. Siddappa, aged about 44 years having office at, Third Floor, Panagal Maaligai, No.1, Jeenis Road, Saidapet, Chennai-600015, do hereby solemnly affirm and sincerely state as follows;

1. I am filing this counter affidavit on behalf of the 1ST & 2nd Respondents of SEIAA-TN herein and as such I am well acquainted with the facts and the circumstances of the case from the records available in this office.
2. I deny the averments and allegations stated in this Appeal No.18 of 2023 except those that are specifically admitted hereunder and put the applicant to strict proof of the same.
3. It is respectfully submitted that; the project proponent has applied to State Level Environment Impact Assessment Authority – Tamil Nadu (SEIAA-TN) seeking prior Environmental Clearance for the proposed Filed before the Respondent No.1 on 15.07.2021 under the category B2 of Item No .1(a) “mining of Minerals” of the schedule to the EIA notification, 2006 for the Proposed quarry operation of Gravel Laterite & Pebbles quarry Project over an extent of 2.25 ha in Patta Land bearing S.F.Nos.261/4(p), 262/3B & 262/4 OF C.N. palayam village, Cuddalore Taluk, Cuddalore District, Tamil Nadu Vide proposal No.SIA/TN/MIN/221237/2021 date: 30.03.2023.
4. It is respectfully submitted that, the petitioner is comparing his case with the Environmental Clearance issued in the neighboring S.F. No. 265/1(P), 265/2, 263/3, to Thiru. V. Manikandan, which is not correct, for the reasons as below,
 - i. In the petitioner’s field it is reported that, there will 160 nos of Trees that have to be uprooted, while the field in adjacent S.F. No. of Thiru. V. Manikandan where EC is issued, there are trees found, but the Proponent has reported that “No trees will be uprooted due to the quarrying operation” which is mentioned in the page No.2 of approved Mining plan dated 18.12.2020 (approved mining plan Enclosed).
 - ii. In the petitioner’s field it is requested for quarrying to the depth of 7m (5m Above Ground Level + 2m Below Ground Level) as per the

approved mining plan. while the field in adjacent S.F. No. of Thiru. V. Manikandan where EC is issued, the quarrying permission is sought for 5m Above Ground Level as per the approved mining plan (approved mining plan Enclosed).

Therefore, humbly prayed that this Hon'ble Tribunal may be pleased to record and pass orders as this Hon'ble Tribunal may deem to fit and proper in light of the facts and circumstances of this case and thus render justice.

Solemnly affirmed at Chennai on
this 20th day of November 2023 &
Signed his name in my presence

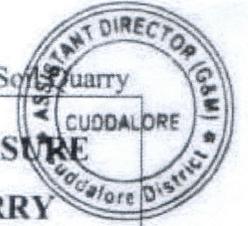
FIRST & SECOND
RESPONDENT

BEFORE ME


28.11.2023

MEMBER SECRETARY
SEIAA-TN

Member Secretary
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY - TN
Panagal Maligai, No.1, Jeenis Road,
Saidapet, Chennai - 15



MINING PLAN ALONG WITH PROGRESSIVE QUARRY CLOSURE PLAN FOR C.N.PALAYAM GRAVEL AND RED SOIL QUARRY

(Prepared under Rules 41 & 42 as Amended in Tamil Nadu Minor Mineral Concession Rules, 1959)

1.0 EXECUTIVE SUMMARY:

The Mining Plan and Environment Management Plan is prepared for **Thiru.V.Manikandan**, S/o. Vaithiyalingam residing at No. 78/4, Sokkanathanpettai, C.N.Palayam Village, Cuddalore Taluk & District, Tamil Nadu State – 607 102.

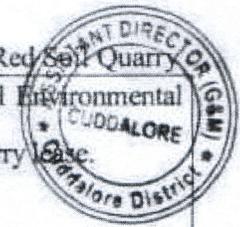
The applicant applied for Gravel and Red Soil Quarry for over an extent 2.79.5 Hectares of Patta Lands in S.F.Nos. 263/1, 265/1, 265/2 & 265/3 of C.N.Palayam Village, Cuddalore Taluk & District for a period of three years under Rule 19(1) of Tamil Nadu Minor Mineral Concession Rules, 1959.

The Mining Plan is prepared for over an extent of 1.54.5Ha of Patta lands in S.F.Nos.265/1(P), 265/2 & 265/3 of C.N.Palayam Village, Cuddalore Taluk & District.

The application was processed by the Assistant Director, Department of Geology and Mining, Cuddalore District and passed a Precise Area Communication letter vide **Re.No.213/Mines//2018, Dated: 06.11.2020** to submit Mining Plan for the approval through Department of Geology and Mining, Cuddalore District and obtain Environmental Clearance from the SEIAA, Chennai, Tamil Nadu for a period of two years under Rule 19(1) of Tamil Nadu Minor Mineral Concession Rules, 1959, with the conditions to provide (Please refer Annexure No.I):

1. The applicant should leave a safety distance of 7.5 meters to the surrounding patta lands.
2. Quarrying should be restricted to the lease granted area only.
3. The applicant should not cause any hindrance to the surrounding Patta lands and barbed wire fencing should be erected all along the boundary of the lease granted area before the commencement of quarrying operation.
4. The quarrying has to be restricted only to the permitted depth of five meters from the above ground level.

V. Vardhan



5. The applicant has to obtain Environmental Clearance from State Level Environmental Impact Assessment Authority, Chennai, Tamil Nadu before grant of quarry lease.
6. The applicant should strictly adhere to the existing Act and Rules.

All the conditions stipulated in the precise area communication have been followed while preparing this Mining Plan.

Short Notes of Mining Plan

- a. Village Panchayat - C.N.Palayam
- b. Panchayat Union - Cuddalore
- c. Geological Resources of Gravel and Red Soil is **51,393m³**.
- d. Mineable Reserves of Gravel and Red Soil is **15,890m³**.
- e. The proposed quantity of reserves around **15,890m³** of Gravel and Red Soil (year wise production) for the period of two years.
- f. Total extent of the area proposed for lease = 1.54.5Ha
- g. Topography of the area = The area exhibits an undulated topography
- h. Proposed Period of mining = Two years
- i. **Proposed Depth of mining = 5m above from ground level (R.L. 62m to R.L. 67m)**
- j. It is a fresh application, no existing quarry pit located within the area.
- k. Method of Mining (level of mechanization)
Open-cast mechanized method is proposed without drilling and blasting.
- l. Type of machineries used in the quarry = Machineries like excavators and Tippers are proposed for quarrying Gravel and Red Soil.
- m. Quantity of diesel consumption = 2,650 Ltrs of HSD will be utilized for entire project life.
- n. **No trees will be uprooted due to this quarrying operation.**
- o. There is no proposal for Export of this Gravel and Red Soil.
- p. Topo sketch covering an 10Km radius around the proposed area with markings of habitations, water bodies including streams, rivers, roads, major structure like bridges, Wells, Archeological importance, Places of worships is marked and enclosed as Plate Nos. IA & IB.
- q. The area for lease is 1.54.5Ha which is bounded by seven corners the corners are designated as 1-7 numerical order from the Southeast side of the area, the Co-ordinates for all the boundaries are clearly marked in the plans enclosed as Plate No. II.

V. Chandrasekhar

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Mining Plan and PQCP

C.N.Palayam Gravel, Laterite & Pebbles Quarry

- a. Village Panchayat - C.N.Palayam
- b. Panchayat Union - Cuddalore
- c. Geological Resources are Gravel & Laterite @ 90% is 1,03,098m³ and Pebbles @ 10% is 11,455m³.
- d. Mineable Reserves are Gravel & Laterite @ 90% is 78,803m³ and Pebbles @ 10% is 8,755m³.
- e. The proposed quantity of reserves (year wise production) for the Two years period to be mined Gravel & Laterite @ 90% is 78,803m³ and Pebbles @ 10% is 8,755m³.
- f. Total extent of the area proposed for lease = 2.25.0ha.
- g. Topography of the area = The area exhibits elevated topography.
- h. Proposed Period of mining = Two years
- i. Proposed Depth of mining = 7m [5m above ground level + 2m below ground level]
- j. It is a fresh application.
- k. Method of mining (level of mechanization)
Open-cast mechanized method is proposed without drilling and blasting.
- l. Type of machineries used in the quarry = Machineries like excavators and Tippers are proposed for quarrying Gravel, Laterite & Pebbles.
- m. Quantity of diesel consumption = 14,590 Ltrs of HSD will be utilized for entire project life.
- n. No trees will be uprooted due to this quarrying operation.
- o. There is no proposal for Export of this Gravel, Laterite & Pebbles.
- p. Topo sketch covering an 10Km radius around the proposed area with markings of habitations, water bodies including streams, rivers, roads, major structure like bridges, Wells, Archeological importance, Places of worships is marked and enclosed as Plate Nos. IA & IB.
- q. The area for lease is 2.25.0ha which is bounded by twelve corners, the corners are designated as 1-12 numerical order from the Southwestern side of the area the Co-ordinates for all the boundaries are clearly marked in the plans enclosed as Plate No. II.
- r. The plans of proposed mining area showing the dimensions of the pit, its proposed depth and maximum mining area of proposed quarrying are enclosed as Plate No. III.
- s. The lease applied area is 10Km away from the critically polluted areas as identified by CPCB, interstate boundary and notified Eco sensitive areas.
- t. There is no waste anticipated during this quarrying operation.
- u. Around 8 employees are proposed to be deployed for the quarrying operation.
- v. The total cost of the project is about Rs.44,82,000/- for a period of Two years.

P.B.



**MINING PLAN AND PROGRESSIVE QUARRY CLOSURE PLAN FOR
C.N.PALAYAM GRAVEL, LATERITE & PEBBLES QUARRY OVER AN
EXTENT OF 2.25.0ha IN C.N.PALAYAM VILLAGE, CUDDALORE TALUK,
CUDDALORE DISTRICT, TAMIL NADU STATE.**

(Prepared under Rules 41 & 42 as Amended in Tamil Nadu Minor Mineral Concession Rules, 1959)

1.0 EXECUTIVE SUMMARY:

The Mining Plan and Environment Management Plan are prepared for **Tmt.P.Indhumathi**, W/o. Gopal, residing at E1, East Street, Kuzhanthaikuppam, Vilangalpattu, Vanamadevi Post, Cuddalore District, Tamil Nadu State – 607 105.

The applicant applied for C.N.Palayam Gravel, Laterite & Pebbles Quarry over an extent of 2.25.0ha of Patta lands in S.F.Nos.261/4 (P), 262/3B & 262/4 of C.N.Palayam Village, Cuddalore Taluk, Cuddalore District, Tamil Nadu State for a period of three years, as per Rule 19 (1) of Tamil Nadu Minor Mineral Concession Rules, 1959.

The application was processed by the Assistant Director, Department of Geology and Mining, Cuddalore District and passed a Precise Area Communication letter vide **Re.No.369/Mines/2020, Dated: 28.06.2021** to submit Mining Plan for the approval through the Department of Geology and Mining, Cuddalore District and obtain Environmental Clearance from the SEIAA, Chennai, Tamil Nadu State, with the conditions to provide:

1. The applicant should leave a safety distance of 7.5 mts to the adjacent patta lands.
2. The applicant should not cause any hindrance to the surrounding patta lands.
3. The quarrying has to be restricted only to the permitted depth of seven meters.
4. The lease grantee shall fence the lease granted area with barbed wire fencing before execution of lease area.
5. The applicant should strictly adhere to the existing Act and Rules.

(Please refer Annexure No – I).

The Mining Plan is prepared for over an extent of 2.25.0ha of Patta lands in S.F.Nos.261/4 (P), 262/3B & 262/4 of C.N.Palayam Village, Cuddalore Taluk, Cuddalore District, Tamil Nadu State.

All the conditions stipulated in the precise area communication have been followed while for preparing this Mining Plan.

P.R.