

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No. 192 of 2023 (SZ)

In the matter of:

Tribunal on its own motion SUO-MOTU

Based on the letter petition date 11.12.2023 regarding

“Rough Stone Mining Project within unsafe Proximity

To Critical Power Grid Lines”.

-Versus-

The Chief Manager,

Power Grid Corporation of India Limited,

Sriperumbudur and Ors.

...Respondent(s)

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Through

Dr. D. Shanmuganathan

Standing Counsel of Tamil Nadu

National Green Tribunal, Southern Zone, Chennai

Date: 04.03.2024

BEFORE THE NATIONAL GREEN TRIBUNAL**SOUTHERN ZONE, CHENNAI****Original Application No.192 of 2023 (SZ)**

Tribunal on its own motion-SUO MOTU
Based on the based on the letter petition
dated 11.12.2023 regarding "*Rough Stone
Mining Project within unsafe
Proximity to Critical Power Grid Lines*".

... Applicant

-Versus-

1. The Chief Manager,
Power Grid Corporation of India Limited,
Sriperumbudur and Ors.

... Respondent

REPORT FILED BY THE DISTRICT COLLECTOR - R5

I, Tmt.Kalaiselvi Mohan,I.A.S., Hindu, aged about 46,
residing at Collector's Bungalow, Kancheepuram do hereby
solemnly affirm and sincerely state as follows:-

2) I am the District Collector, Kancheepuram herein and as
such I am well acquainted with the facts and circumstances of the
case from the records available with office and I am filing this
report based on the interim order passed by the Hon'ble National
Green Tribunal, Southern Zone, Chennai order dated 05.02.2024.

3) It is submitted that, the Hon'ble National Green Tribunal,
Southern Zone, Chennai on its Suo Motu motion have registered
an Original Application No.192 of 2023 (SZ), in its order dated
05.02.2024 based on the letter petition dated 11.12.2023 regarding
"*Rough Stone Mining Project within unsafe Proximity to Critical
Power Grid Lines*" have ordered that let the District Collector,

Kancheepuram and Department of Mines and Geology file a report after making spot inspection.

4) It is further submitted that, based on the orders of the Hon'ble National Green Tribunal of South Zone, Chennai, Special Team was constituted by the District Collector, Kancheepuram vide Proceedings Rc.No.007/Q3/2023 dt.16.02.2024 with the following officials.

- (i) The Revenue Divisional Officer, Kancheepuram
- (ii) The Assistant Geologist, O/o the Deputy Director of Geology and Mining, Kancheepuram.
- (iii) Special Revenue Inspector (Mines) O/o the Deputy Director of Geology and Mining, Kancheepuram.

5) It is also submitted that, the Special Team has conducted inspection in the subject area in SF. Nos.225/1 etc., of Palayaseevaram Village, Walajabad Taluk, Kancheepuram District on 28.02.2024. The Revenue Divisional Officer, Kancheepuram has stated that at the time of inspection, the concerned Revenue Inspector and Village Administrative Officer were also present and assisted at the time of inspection.

6) The Revenue Divisional Officer, Kancheepuram in their report has stated that,

- i. Thiru.K.Kothandan S/o.Kuppan, No.5, Alamelu Nagar, Old Perungalathur, Chennai-63 has applied on 06.01.2023 for the grant of quarry lease for Rough Stone and Gravel over an extent of 3.07.50 hectares of patta lands in SF.Nos.225/1 (0.54.00), 225/2 (0.36.50), 225/8B (0.38.00), 225/8C (0.11.00), 225/8D (0.07.00), 241/3H (0.11.00), 241/31 (0.24.00), 241/5

(0.24.00), 241/6 (0.26.50), 241/7 (0.19.50), 241/8 (0.22.00) and 242/9 (0.34.00) of Palayaseevaram Village, Walajabad Taluk, Kancheepuram District for a period of 10 years under Rule 19 of Tamil Nadu Minor Mineral Concession Rules 1959.

- ii. Further, based on the recommendations of the Revenue Divisional Officer, Kancheepuram, Assistant Geologist, Department of Geology and Mining, Kancheepuram the above application was considered for quarrying Rough Stone and Gravel for the subject area under rule 19(1) of Tamil Nadu Minor Mineral Concession Rules, 1959 for a period of Ten years subject to certain conditions and precise area has been communicated to the applicant on 14.03.2023. Further the Assistant Geologist in his report has recommended imposing the special condition to leave necessary safety distance for the High Tension Power line situated on the Eastern side of the applied area.
- iii. Accordingly, the Mining Plan has been prepared by the Qualified person by leaving 50 meters Safety distance for the High Tension Power line situated on the Eastern side of the applied area the Mining Plan was approved by the Assistant Director (i/c) of Geology and Mining, Kancheepuram vide letter dated 30.03.2023. In the meanwhile the applicant has applied for Environmental Clearance before this State Level Environmental Impact Assessment Authority, Chennai and EC is awaited.
- iv. During inspection its reveals that power grid line is situated on the eastern side of the applied SF.No.242/9, 225/8D and 225/8B at a distance of 17 meters, 37 meters and 25 meters respectively. In this

regard, the applicant has submitted approved Mining Plan in which 50 meters safety distance has been provided as per Tamil Nadu Minor Mineral Concession Rules 1959.

- v. In view of the above the applicant has instructed that quarry operation should be carried out only after obtaining concurrence from Power Grid Corporation and Environmental Clearance from SEIAA will be submitted after receipt of the clearance from SEIAA.
- vi. During the inspection it reveals that so far there is no quarry operation in the subject area and no quarry lease was granted yet

7) It is further submitted that, the applicant has applied for Environmental Clearance before SEIAA, Tamil Nadu and EC is awaited. At this juncture the Power Grid Corporation of India Ltd, vide letter dated 04.01.2024 has referred the complaint petition lodged by Thiru.K.Veeraraghavan dated 11.12.2023 stating that Thiru.K.Kothandan has applied for Mining lease in SF.No.225/1 etc., of Palayaseevaram village, Walajabad Taluk for which he has not approached Power Grid to obtain NOC. Further, based on the letter received from Power Grid Corporation the applicant has been requested vide Memo dated 24.01.2024 to furnish the NOC if any obtained from the Power Grid Corporation in connection with the subject complaint petition.

8) It is submitted that Thiru.K.Kothandan in letter dated 29.02.2024 has stated that based on the letter received from the Deputy Director of Geology and Mining dated 24.01.2024 he has

attended SEIAA meeting and SEIAA has instructed that quarry operation should be carried out only after obtaining NOC from Power Grid Corporation. Further, he has stated that the Environmental Clearance from SEIAA will be submitted after the receipt of the clearance from SEIAA.

9) It is submitted that as per rule 42 of TNMMCR 1959 quarry leases are being granted only after the receipt of Environmental Clearance. In this case Thiru K.Kothandan has not yet submitted Environmental Clearance and so far no quarrying activity is commenced in the subject area.

10) It is also submitted that based on the condition imposed by the Special team quarry lease will be granted infavour of Thiru.K.Kothandan S/o.Kuppan only after obtaining concurrence from Power Grid Corporation in the subject area.

In view of the above, it is therefore humbly prayed that this Hon'ble National Green Tribunal, Southern Zone, Chennai may be pleased to record the above mentioned facts and dispose of the application or pass such further order as this Hon'ble National Green Tribunal may deem fit and proper in the fact and circumstance of this case and thus justice.

Solemnly affirmed at Kancheepuram

On this ...the day of March 2024
and signed his name in my presence.


DISTRICT COLLECTOR
KANCHEEPURAM
BEFORE ME


01.03.24
DD(M)

VERIFICATION

I, Tmt.Kalaiselvi Mohan, I.A.S., working as District Collector, 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 1st day of March' 2024.


DISTRICT COLLECTOR
KANCHEEPURAM


A
01.03.24
DD(m)

Special Team report submitted to the Hon'ble National Green Tribunal (SZ), Chennai

1. CASE DETAILS

The Hon'ble National Green Tribunal, Southern Zone, Chennai on its Suo Motu motion have registered an Original Application No.192 of 2023 (SZ), in its order dated 05.02.2024 based on the letter petition dated 11.12.2023 regarding "*Rough Stone Mining Project within unsafe Proximity to Critical Power Grid Lines*" have ordered that let the District Collector, Kancheepuram and Department of Mines and Geology file a report after making spot inspection.

1.1 ORDERS OF THE HON'BLE TRIBUNAL

Based on the orders of the Hon'ble National Green Tribunal of South Zone, Chennai, Special Team was constituted by the District Collector, Kancheepuram vide Proceedings Rc.No.007/Q3/2023 dt.16.02.2024 with the following officials.

- (i) The Revenue Divisional Officer, Kancheepuram
- (ii) The Assistant Geologist, O/o the Deputy Director of Geology and Mining, Kancheepuram.
- (iii) Special Revenue Inspector (Mines) O/o the Deputy Director of Geology and Mining, Kancheepuram.

1.2 OBSERVATION OF THE JOINT COMMITTEE

i) Accordingly, the Special Team has conducted inspection in the subject area in SF. Nos.225/1 etc., of Palayaseevaram Village, Walajabad Taluk, Kancheepuram District on 28.02.2024. At the time of inspection, the Revenue Divisional Officer, Kancheepuram, Assistant Geologist (Mines), Special Revenue Inspector (Mines), Kancheepuram, and the concerned Revenue Inspector, Village Administrative Officer were also present and assisted at the time of inspection.

ii) In this regard the following details are submitted:-

- i. Thiru.K.Kothandan S/o.Kuppan, No.5, Alamelu Nagar, Old Perungalathur, Chennai-63 has applied on 06.01.2023 for the grant of quarry lease for Rough Stone and Gravel over an extent of 3.07.50 hectares of patta lands in SF.Nos.225/1 (0.54.00), 225/2 (0.36.50), 225/8B (0.38.00), 225/8C (0.11.00), 225/8D (0.07.00), 241/3H (0.11.00), 241/31 (0.24.00), 241/5 (0.24.00), 241/6 (0.26.50), 241/7 (0.19.50), 241/8 (0.22.00) and 242/9 (0.34.00) of Palayaseevaram Village, Walajabad Taluk, Kancheepuram District for a period of 10 years under Rule 19 of Tamil Nadu Minor Mineral Concession Rules 1959.
- ii. Further, based on the recommendations of the Revenue Divisional Officer, Kancheepuram, Assistant Geologist, Department of Geology and Mining, Kancheepuram the above application was considered for quarrying Rough Stone and Gravel for the subject area under rule 19(1) of Tamil Nadu Minor Mineral Concession Rules, 1959 for a period of Ten years subject to certain conditions and precise area has been communicated to the applicant on 14.03.2023. Further the Assistant Geologist in his report has recommended imposing the special condition to leave necessary safety distance for the High Tension Power line situated on the Eastern side of the applied area.
- iii. Accordingly, the Mining Plan has been prepared by the Qualified person by leaving 50 meters Safety distance for the High Tension Power line situated on the Eastern side of the applied area the Mining Plan was approved by the Assistant Director (i/c) of Geology and Mining, Kancheepuram vide letter dated 30.03.2023.

In the meanwhile the applicant has applied for Environmental Clearance before this State Level Environmental Impact Assessment Authority, Chennai and EC is awaited.

- iv. During inspection it reveals that power grid line is situated on the eastern side of the applied SF.No.242/9, 225/8D and 225/8B at a distance of 17 meters, 37 meters and 25 meters respectively. In this regard, the applicant has submitted approved Mining Plan in which 50 meters safety distance has been provided as per Tamil Nadu Minor Mineral Concession Rules 1959.
- v. In view of the above the applicant has instructed that quarry operation should be carried out only after obtaining concurrence from Power Grid Corporation and Environmental Clearance from SEIAA will be submitted after receipt of the clearance from SEIAA.
- vi. During the inspection it reveals that so far there is no quarry operation in the subject area and no quarry lease was granted yet.


Special Revenue Inspector (Mines),
Kancheepuram.


Assistant Geologist (Mines)
Kancheepuram.


Revenue Divisional Officer,
Kancheepuram.