

REPORT OF THE JOINT COMMITTEE

As per the order of the Hon'ble National Green Tribunal Southern Zone, Chennai dated 04.06.2021, a committee has been formed comprising the following officers,

- i. The District Collector, Coimbatore
- ii. District Environmental Engineer, Tamil Nadu Pollution Control Board, Coimbatore North.
- iii. Assistant Environmental Engineer, State level Impact Assessment Authority (SEIAA), Chennai.
- iv. Regional Joint Director, Department of Geology and Mining, Tiruchirappalli Region.

3) The above said committee along with District Revenue officer, Coimbatore, Revenue Divisional Officer, Coimbatore North, Tahsildar, Coimbatore North, Revenue Inspector and Village Administrative Officers concerned have inspected the subject area on 07.08.2021 and the following details are furnished,

- a) With regard to direction No. (i), it is reported that as per Environment Impact Assessment Notification 2006 (as amended in 2016) mandates prior Environmental Clearance (EC) for new projects or activities before any construction work, or preparation of land by the project management except for securing the land, is started on the project or activity including expansion, or modernization of existing projects listed in its Schedule. Category 'A' projects shall obtain EC from the Central Government and Category 'B' projects from the concerned State Level Environment Impact Assessment Authority (SEIAA)/Union Territory Environment Impact Assessment Authority (UTEIAA). The mining of minerals comes under "Schedule 1(a)-Mining of minerals". For the proposed mining projects, Proponent has to submit application seeking Environmental Clearance for the proposed quarry along with Form-1, precise area communication from the

District Collector, Mining plan approved by the Department of Geology and Mining, pre-feasibility report and other essential documents. For the above accredited EIA consultants will be engaged by the Project proponent to conduct the EIA studies for the Project. But in this case, the Brick Kiln owners have not obtained any clearance from the State Level Impact Assessment Authority (SEIAA) for quarrying brick earth in Veerapandi, Chinnathadagam, Nanjundapuram, Somayampalayam and Pannimadai villages. The activity of quarrying of Brick earth in the said 5 villages without obtaining prior Environmental clearance attracts EIA Notification 2006 and is a vivid violation.

b) With regard to the directions No.(ii) & (iii), it is reported that as the brick kiln owners have not been granted with permit for quarrying brick earth from patta lands as required under Rule 19(2) of Tamil Nadu Minor Mineral Concession Rules, 1959 and the Tahsildar, Coimbatore North has reported that brick earth was stocked in their units and the source of brick earth was not known, the entire quantity of brick earth stocked in the brick kiln units has been declared as illegally stored one vide district Collector proceedings dated 01.06.2021, 13.06.2021, 14.06.2021, 15.06.2021 & 16.06.2021.

c) With regard to directions No.(iv) & (v), it is informed that the district administration have already issued orders to close down 177 Brick kiln units in Veerapandi, Chinnathadagam, Nanjundapuram, Somayampalayam, Pannimadai villages vide District Collector proceedings Dated 01.06.2021, 13.06.2021, 14.06.2021, 15.06.2021 & 16.06.2021 with the following directions,

i. The Tahsildar, Coimbatore North has been directed to seize the entire quantum of brick earth, finished goods of bricks etc. illegally stocked in the premises of the brick kiln units under Section 21(4) of Mines and Minerals (Development & Regulation) Act, 1957.

ii. The Revenue Divisional Officer, Coimbatore North has been directed to file complaints before the competent

Special Court as per the powers delegated under Section 22 of the Act, 1957 against the brick kiln unit owners for the offences committed under Section 21 of the Act, 1957 and for making prayer for confiscation of the finished bricks kept in the premises at Veerapandi, Chinnathadagam, Somayampalayam, Nanjundapuram and Pannimadai villages, Coimbatore North Taluk, Coimbatore District.

d) With regard to direction No (vi), it is reported that, with respect to the directions issued by the Principle Bench of National Green Tribunal in similar matters in North India, with modification if any, required considering the situation prevailing in these areas to protect environment, It is submitted that as per TNPC Board B.P.No.06 dt. 02.08.2016 this type of activity comes under the Orange Category with the Industry type as 2020 - **Brickfields (excluding fly ash brick manufacturing using lime process). The unit has to obtain consent of the Board** under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981. But, none of the brick kiln units located in Pannimadai, Somaiyampalayam, Nanjundapuram, Chinna Thadagam and Veerapandi villages have obtained the consent of the TNPC Board under both the Acts.

It is further stated that as per the CPCB directions for brick kilns vide letter No. IPC-V(SS1)/Brick Kiln/2017 dated:27.06.2017 & Letter No. CPCB/IPC-V/Brick kiln/2021 dated:21.01.2021, all the Brick kiln units shall provide Induced Draft Brick Kiln (zig-zag brick setting with rectangular shape of kiln) and adhere the sitting criteria guidelines for brick kilns. All the brick kiln chambers shall provide stack monitoring facility along with porthole and platform. All the moving area around the main brick kiln should be paved with the bricks to minimize the fugitive dust emission from the brick kiln operation and ensure that fine dust not to accumulate all around the

brick kiln. All the brick kilns are operating with Natural draft brick kiln. During inspection by the TNPC Board officials, it was noticed that most of the brick kiln units have provided fixed chimney of 30 m height. None of the brick kiln units have provided air pollution control measures (Zig-zag arrangements with induced draft brick kiln) with stack monitoring facility along with porthole and platform. Thereby none of the brick kiln industries are following the directions issued by the Central Pollution Control Board except fixed chimney.

e) With regard to direction No.(vii), (viii) & (ix), the committee has decided to pray the Hon'ble National Green Tribunal to co opt an agency like National Environmental Engineering Research Institute (NEERI) to assess whether any damage has been caused to any of the water bodies nearby and whether it has affected water bodies like rivers and streams etc., and the depletion in groundwater level, Nature of damage caused to the environment, recommendations for restoring the damage caused to the environment and also to assess the environmental compensation to be recovered etc.,

C. A. H. 07/09/2021
Assistant Environmental Engineer,
SEIAA - TN, Chennai

S. S. S. 07/08/21
District Environmental Engineer,
TNPCB, Coimbatore North

[Signature] 07/08/21
Regional Joint Director,
Geology and Mining,
Tiruchirappalli

[Signature]
District Collector
Coimbatore

- 1) Detailed Survey & Quantification of mining shall be done.
 - 2) NEERI may assess the Environmental Damages.
 - 3) This shall be treated as a Preliminary Report to be filed in Hon'ble NGT
- [Signature]*
11/8/21