

**BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI**

In

O.A.No.104 of 2021 (SZ) & I.A.No. 87 of 2021

IN THE MATTER OF:

K.Ramsingh,  
S/o. Mr. Kandasamy,  
No. 3/93, South Street,  
Theertharappapuram Post,  
Alangulam Taluk, Tenkasi – 627 423.

....Applicant(s)

Vs

1. State Environment Impact Assessment Authority,  
Government Of Tamilnadu,  
3<sup>rd</sup> Floor, Panagal Maaligai,  
No. 1, Jeenis Road, Saidapet, Chennai – 600 015.
2. The Chairman,  
Tamil Nadu Pollution Control Board,  
No. 76, Mount Road,  
Guindy, Chennai – 600 032.
3. The Deputy Director,  
Dep Of Geology and Mining, Govt of Tamilnadu,  
Collectorate,  
Kokkirakulam – 627 009.
4. The District Collector,  
Collectorate,  
No. 82, Railway Feeder Road,  
Tenkasi – 627 811.

5. The Superintending Engineer,  
O/o. The Superintending Engineer,  
TANGEDCO, Anna Building,  
Thiyagaraya Nagar, Tirunelveli – 627 011.
6. The Assistant Engineer,  
Distribution – TANGEDCO,  
Servaikkaranpatti, Kadayam,  
Tenkasi – 627 415.
7. Mr.N.Mohamed Mahaboob,  
Proprietor – AP Nadanoor Rough Stone,  
Jelly and Gravel Quarry,  
No. 8/142, Main Road,  
Pottal Pudur, Ambasamudram Taluk,  
Tenkasi District – 627 423.
8. Mr.K.Sasikumar,  
S/o. V.Kalangiam,  
Proprietor – AP Nadanoor Rough Stone,  
Jelly and Gravel Quarry,  
No. 9/303, Nainar Koil Street,  
Velappanaiyeripatti, Thippanampatti Village,  
Tenkasi District – 627 423.

...Respondent(s)

## Joint Committee Report

in

Original Application No.104 of 2021 (SZ) & I.A.No. 87 of 2021 (SZ)

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	<p>(i) Copy of Analysis reports issued by M/s. Global Lab and Consultancy Services, Salem in respect of 7<sup>th</sup> Respondent,</p> <ul style="list-style-type: none"> <li>a) Monitoring of Ambient Air Quality Test Report</li> <li>b) Monitoring of Noise level Test Report</li> <li>c) Borewell Water Quality Test Report</li> <li>d) Ground Vibration Test Report</li> <li>e) Ground Water Quality Test Report</li> </ul> <p>(ii) Copy of Geo Physical Resistivity Survey Test report issued by M/s. Geo Exploration and Mining Solutions, Salem in respect of 7<sup>th</sup> Respondent</p> <p>(iii) Copy of Topographical Base Plan in respect of 7<sup>th</sup> Respondent</p>	
9.	<p>Annexure-D2:</p> <p>(i) Copy of Analysis reports issued by M/s. Global Lab and Consultancy Services, Salem in respect of 8<sup>th</sup> Respondent,</p> <ul style="list-style-type: none"> <li>a) Monitoring of Ambient Air Quality Test Report</li> <li>b) Monitoring of Noise level Test Report</li> <li>c) Borewell Water Quality Test Report</li> <li>d) Ground Vibration Test Report</li> <li>e) Ground Water Quality Test Report</li> </ul> <p>(ii) Copy of Geo Physical Resistivity Survey Test report issued by M/s. Geo Exploration and Mining Solutions, Salem in respect of 8<sup>th</sup> Respondent</p> <p>(iii) Copy of Topographical Base Plan in respect of 8<sup>th</sup> Respondent</p>	117-137

**JOINT INSPECTION REPORT OF COMMITTEE FORMED PURSUANT TO THE  
ORDER OF HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE  
CHENNAI IN O.A.NO. 104 OF 2021 DATED. 15.06.2021**

It is submitted that Thiru. K.Ramsingh, Theertharappapuram Village, Tenkasi District, has filed an Original Application No. 104 of 2021 (SZ) and I.A.No. 87 of 2021 (SZ) before the Hon'ble National Green Tribunal, Southern Zone, Chennai levelling certain complaints against the functioning of roughstone quarries by 7<sup>th</sup> respondent Mohamed Mahaboob and 8<sup>th</sup> respondent Sasikumar and with a prayer to

- i. Direct the 1<sup>st</sup> to 4<sup>th</sup> respondents to take action against the 7<sup>th</sup> and 8<sup>th</sup> respondents for violation of conditions prescribed in the licence issued to respondent in Rc. No. M1/44736/2016, dated. 12.12.2017 and Rc.No. M1/34173/2016, dated. 17.08.2017 to the 7<sup>th</sup> and 8<sup>th</sup> respondents respectively.
- ii. Direct the respondents 7<sup>th</sup> and 8<sup>th</sup> to restore the wells and environment pollution free.

2. It is further submitted that the Hon'ble National Green Tribunal, Chennai (SZ) in para 14 of the order dated 15.06.2021 directed the committee to discuss following points

- i Whether the quarry and other alleged units run by respondents 7<sup>th</sup> and 8<sup>th</sup> in the disputed area are having all necessary clearances and permission?

- li Whether there was any violation committed by the respondents 7 and 8 in operating the quarry against the conditions imposed.
- iii. Whether the unit of respondents 7 and 8 are having all necessary pollution control mechanisms which are sufficient to abate the nuisance due to pollution likely to be caused.
- iv. Whether respondents 7 and 8 have committed any excess mining, and if so what is the extent of excess mining done and its impact on environment and assess the damage caused to the environment as well as the environmental compensation apart from the penalty and royalty to be realised from them under the respective mining laws.
- v. Whether on account of the excess mining any depletion to the groundwater has been caused in that area?
- vi. Whether any high density explosives were used by the 7<sup>th</sup> and 8<sup>th</sup> respondent for blasting against the permission granted and is there any damage caused to any of the neighboring houses on account of the same apart from any sound pollution being caused.
- vii. The committee is also directed to assess the damage caused to the neighboring property owners on account of the unauthorised explosion and vibration caused on account of operating the units of the respondents 7 and 8.

3. As instructed by the Hon'ble National Green Tribunal, Southern Zone, Chennai(SZ) in its order dated 15.06.2021 in Original Application No. 104 of 2021(SZ) & I.A. No. 87 of 2021(SZ) "a joint committee was constituted with the following officers in Collector Proceedings in M1/19934/2021, dated. 16.07.2021.

1. The Revenue Divisional Officer, Tenkasi.
2. The Deputy Director, Geology and Mining, Tirunelveli.
3. The Assistant Geologist office of Deputy Director, Geology and Mining, Tirunelveli.
4. The Assistant Engineer, Tamil Nadu State Level Environment Impact Assessment Authority (TNSEIAA).
5. The District Environmental Engineer, Tamil Nadu Pollution Control Board, Tirunelveli.

4. The committee members inspected the quarry site on 20.07.2021 and required test relating to Geo Physical Resistivity Survey, Ground Water Level, Ground Water Quality, Ambient Air Quality and Ambient Noise Level through National Accreditation Board for Testing and Calibration Laboratories (NABL) were conducted and got the quarry sites in question measured with taluk survey team and total station survey to assess the volume of pit measurements. The results of the report was examined with reference to the norms prescribed and actual value recorded in the quarry sites are discussed.

5. The 7<sup>th</sup> respondent has been granted quarry permission to quarry Roughstone, Jelly & Gravel over an extent of 3.74.5 hectares of patta lands in SF. Nos. 434/4C, 434/4E, 434/4F, 434/4G, 434/4H, 434/4I, 434/4J, 470/1, 471/2, 471/3, 472/1B & 472/1C of A.P.Nadanoor Village, Alangulam Taluk, Tenkasi District for a period of 5 years vide District Collector Proceedings No. M1/44736/2016, dated. 20.03.2018. The lease deed was executed on 16.04.2018 and the lease period is valid from 16.04.2018 to 15.04.2023. The District Level Environment Impact Assessment Authority, Tirunelveli issued Environmental Clearance in letter No. DEIAA-TNV/TN/49133/2017, dated. 22.02.2018 for a quantity of 5,24,423 cbm of Roughstone and for a quantity of 23,031 cbm of Gravel. The Tamil Nadu Pollution Control Board issued consent to operate quarry in the subject area vide proceedings No. F.3238TNV/RS/DEE/TNPCB/TNV/W/2021, dated. 07.08.2021 under Water (P&CP) Act, 1974 and vide proceedings No. F.3238TNV/RS/DEE/TNPCB/TNV/A/2021, dated. 07.08.2021 under Air(P&CP) Act,1981 for quarrying a quantity of 5,24,423 cbm of Roughstone & Jelly and for a quantity of 23,031 cbm of Gravels subject to the conditions as stated therein valid up to 31/03/2023.

6. The 8<sup>th</sup> respondent has been granted quarry permission to quarry Roughstone, Jelly & Gravel over an extent of 1.99.0 hecets of patta lands in SF. Nos. 433/1 & 433/2 of A.P.Nadanoor Village, Alangulam Taluk, Tirunelveli District (Currently Tenkasi District) for a

period of 5 years vide District Collector Proceedings No. M1/34173/2016, dated. 20.03.2018. The lease was executed on 17.04.2018 and the lease period is valid from 17.04.2018 to 16.04.2023. The District Level Environment Impact Assessment Authority, Tirunelveli issued Environmental Clearance in letter No. DEIAA-TNV/TN/34960/2017, dated. 22.02.2018 for a quantity of 3,31,000 cbm of Roughstone and for a quantity of 30,672 cbm of Gravel. The Tamil Nadu Pollution Control Board issued consent to operate quarry in the subject area vide proceedings No. F.3032TNV/ RS/DEE/TNPCB/TNV/W/2020, dated. 30.08.2020 under Water (P&CP) Act, 1974 and vide proceedings No. F.3032TNV/RS/ DEE/TNPCB/ TNV/A/2020, dated. 30.08.2020 under Air(P&CP) Act,1981 for a quantity of 3,31,000 cbm of Roughstone & jelly and for a quantity of 30,672 cbm of Gravel subject to the conditions as stated therein valid up to 31/03/2023.

7. The District Level Environmental Impact Assessment Authority granted permission to quarry at a depth of 52 meters to both respondents as against the Ground Water Level is of 55 meters. The 7<sup>th</sup> respondent has quarried to a depth of 23 meters in two completed spells for the period from 2004 to 2009 and from 2011 to 2016 and the present lease for the period from 2018 to 2023 where as the 8<sup>th</sup> respondents has quarried to a depth of 22 meters in the present lease area for the period from 2018 to 2023.

8. As regards mining operation, the 7<sup>th</sup> respondent was issued transport permit for a quantity of 1,98,685 cbm in two completed spells for the period from 2004 to 2009 and from 2011 to 2016 and the present lease period from 2018 to 2023. As per total station survey the quantity excavated comes to 2,04,704 cbm of which quantity of 6008 cbm was dumped around the lease area. During taluk survey, it is found that volume of the pit works out to 2,04,377 cbm of which quantity of 7,844 was dumped. The actual quantity transported comes to 1,98,696 cbm and the excess quantity of 11 cbm lies within the acceptable limit.

9. In respect of 8<sup>th</sup> respondent, transport permit was issued for a quantity of 1,12,349 cbm in the current lease period. According to the total station survey the quantity excavated comes to 1,85,242 cbm of which quantity of 75,701 cbm dumped. During taluk survey it is found that, the volume of the pit works out to 1,86,590 cbm of which 75,768 cbm dumped. The transport quantity works out to 1,10,822 cbm which is not exceed the permit issued quantity of 1,12,349 cbm.

10. There is no habitation within 300mtrs from the quarry lease areas. No building cracks, property damage and agriculture field damages are notice due to blasting. No fly rocks or shattering of rocks has been observed as the pit walls acts itself as a barrier. The lease areas are fenced with 5 feet height and also fixed the sign board with lease particulars.

11. Both the respondents have not used high density explosives as the blasting is carried out by licensed outsource blaster only. Further, they operate the quarry using Jack Hammer Drilling and Special Gelatin Stick of 25mm x 200mm /125gms. The bench height and slope is not maintained as per MMR 1961.

12. Both the quarries satisfy the standard prescribed by Pollution Control Board during Ambient Air Quality Survey test conducted in four locations in the quarry site and the Ambient Noise Level also lies within the standard for residential area of all four locations in the quarry site boundary.

13. In respect of Ground Water Quality in both quarries, it is noticed that the quality in all the parameters are within the acceptable limit of the drinking water standards were as the Total Dissolved Solids (TDS) exceeds the acceptable quality of 500 mg/L and within the permissible limit of 2000 mg/L.

14. In order to access the Ground Vibration, the Peak Particle Velocity test (PPV) was conducted in the quarry site belongs to the 7<sup>th</sup> respondent and the Ground Vibration result is only 1.19mm/s as per DGMS maximum permissible limit of PPV is 5mm/s and the peak particle velocity test was conducted in the quarry site belongs to the 8<sup>th</sup> respondent and the Ground Vibration result is only 0.94mm/s as per DGMS maximum permissible limit of PPV is 5mm/s.

15. Field Photographs:







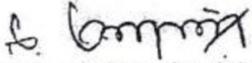
#### 16. Conclusion of Committee:

- I. The respondents have obtained the necessary clearance and permissions.
- II. The mining operations are carried out within the permitted area.
- III. The quarry depth is within the permissible depth and above the water table level.
- IV. No high density blasting was done. There were no damages to the property of the neighbors.
- V. Bench height and slope is not maintained as per MMR 1961.

17. The respondents may be instructed to adopt the following procedure

1. The internal roads are to be graded to avoid dust pollution during vehicle movement.
2. The unit has to take steps to allocate 2.5% of the annual turnover and utilize towards CSR activity.
3. The unit has to furnish report on the health checkup of the labourers employed.
4. The unit shall continue to develop green belt in the premises and maintain it.

Signature of Committee Members

  
Assistant Geologist,  
Geology and Mining,  
Thiruvannamalai.  
(Formerly Assistant Geologist,  
Tirunelveli District)

  
Assistant Engineer,  
State Level Environment Impact  
Assessment Authority,  
Chennai.

  
District Environmental Engineer,  
Tamil Nadu Pollution Control Board,  
Tirunelveli.

  
Deputy Director,  
Geology and Mining,  
Kanniyakumari.  
(Formerly Deputy Director,  
Tirunelveli District)

  
Revenue Divisional Officer,  
Tenkasi.

