

**BEFORE THE NATIONAL GREEN TRIBUNAL**  
**SOUTHERN ZONE, CHENNAI**  
**Original Application No.211 of 2021(SZ)**

IN THE MATTER OF:

Thiru.P.Palaniappan,  
S/o.Ponnusamy,  
Meenangadu, Masianickenpatty Post,  
Salem District-636 103.

...

Applicant(s)

- Vs. -

- 1) The Ministry of Environment,  
Forest and Climate Change,  
Rep. by its Under Secretary  
3<sup>rd</sup> Floor, Prithvi-Block  
Indira Paryavaran Bhawan,  
Jorbagh Road, New Delhi-110 003. ... Respondent(s)
- 2) Central Pollution Control Board  
Rep. by its Chairman  
Parivesh Bhawan,  
CBC-cum-Office complex East Arjun  
Nagar, Delhi-110 032.
- 3) The Ministry of Environment,  
Forest and Climate Change  
Rep. by its Secretary,  
Fort. St. George, Chennai-600 108.
- 4) Tamil Nadu Pollution Control Board  
Rep. by its Member Secretary  
76, Mount Salai,  
Guindy, Chennai-600 032.
- 5) State Level Environment Impact  
Assessment Authority-Tamil Nadu,  
Rep. by its Member Secretary  
3<sup>rd</sup> Floor, Panagal Maligai,  
No.1, Jeenis Road,  
Saidapet, Chennai-600 015.
- 6) The Chairman,  
Petroleum and Explosives Safety  
Organisation, Dept. of Explosives,  
No.140, Rukmani Lakshmiipatti Road,  
Egmore, Chennai-600 08.
- 7) The District Collector,  
Collector's Office,  
Salem District-636 001.
- 8) The Assistant Director Geology and  
Mining, Collectorate,  
Salem-636 001.

- 9) Tamil Nadu Pollution Control Board,  
Rep. by its District Environmental  
Engineer, No.1/276, Siva Towers,  
Meiyanoor Main Road,  
Salem-636 004.
- 10) The Revenue Tahsildar Cum Coordinator  
Regional Special Executive Committee,  
Valapady Taluk, Salem District.
- 11) Shree Parasakthi Crusher  
Rep by P.Bhaskar  
243/19, Varangampady,  
Masinaickenpatty Post,  
Salem District-636 103.
- 12) Sri Annamar Blue Metals  
Rep. by its Proprietor  
Varagampady Main Road,  
Kasinagar, Masinaickenpatty Post,  
Salem District-636 103.
- 13) Sri Vijayalakshmi Blue Metals  
Rep. by its Proprietor  
Meenangadu,  
Mango Farm, Masinaickenpatty Post,  
Salem District-636 103.
- 14) MLA Crusher @ K.S.Blue Metals,  
and Girisagajanya Project,  
Rep by its Kandasamy Selvakumar  
199/10, Sakthi Nagar,  
Masinaickenpatty Post,  
Salem District-636 103.
- 15) B.Gokulnath  
S/o.P.Bhaskar,  
No.100NA, Meenangadu,  
Masinaickenpatty Post,  
Salem District-636 103.

...

Respondents

**REPORT FILED BY THE 8<sup>th</sup> RESPONDENT.**

I, R. Jayanthi, D/o. T.Rangasamy, Deputy Director, Department of Geology and Mining, Salem District do hereby solemnly affirm and sincerely state as follows:

1) I am the 8<sup>th</sup> respondent herein and as such I am well acquainted with facts of the case from the available records, I am filling this application.

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**DEPUTY DIRECTOR**  
**Dept. of Geology & Mining,**  
**SALEM.**

2) It is submitted that One Thiru.P.Palaniappan S/o.Ponnusamy, Meenangadu, Masinaickenpatty Post, Salem District has filed an Original Application No.211 of 2021(SZ) before the Hon'ble National Green Tribunal, South Zone, Chennai regarding operation the pollution caused on account of conducting of quarrying and crusher operation by 11<sup>th</sup> to 15<sup>th</sup> respondent with prayer to.

*(i) Direct the respondents 1 to 10 to take appropriate action against the respondents 11 to 15 for the illegal quarry/crusher operations done by them in gross violation to the conditions imposed in the relevant licenses, consent orders and clearances.*

*(ii) Direct the respondents 1 to 10 to assess the damage caused by the respondents 11 to 15 to the environment or particularly in Masinaickenpatti village and recover the compensation for the same from the respondents 11 to 15.*

*(iii) Direct the respondents 1 to 10 to cancel the licenses, consent order and clearances granted in favour of the respondents 11 to 15.*

*(iv) Direct the respondents 11 to 15 to close down the quarry/crusher units on account of the serious environmental degradation caused by them.*

*(v) And pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case and thus render justice.*

3) It is submitted that the Hon'ble National Green Tribunal, South Zone, Chennai(SZ) in its order dated 30.09.2021 in Original Application No. 211 of 2021 (SZ) received by this office on 08.10.2021 by E-mail in **para 7** of the order directed by "*appointing a joint committee comprising of*

*(1) a Senior Officer from MoEF & CC, Integrated Regional Office, Chennai (2) a Senior Scientist from Central Pollution Control Board, Integrated Regional Office, Chennai (3) a Senior Officer from State Level Environment Impact Assessment Authority, Chennai (4) The District Environmental Engineer of the concerned Tamil Nadu Pollution Control Board and (5) The Assistant Director of Geology and Mining, Salem to inspect the unit in question and submit a factual as well as action report, if there is any violation found.*

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**SALEM.**

4) It is further submitted that the Hon'ble National Green Tribunal, Chennai (SZ) directed the committee to inspect the subject area and ascertain as to whether (1) respondents 11 to 15 are having proper environment clearance and other permissions required under the environmental laws (2) if they are having, which they have committed any violation of the conditions imposed (3) whether the pollution Control mechanism provided are sufficient to curb the air and noise pollution, if not what is the further remedial measures to be taken to mitigate the situation (4) whether respondents 11 to 15 are using explosives other than the permissible one and also doing drilling than the permitted limit thereby causing heavy noise pollution and vibration in that area (5) whether on account of their operation, the ground water level in the area is affected (6) Due to the alleged dust pollution whether any damage has been caused to the nearby agricultural fields (7) On account of the violations whether any environment damage has been caused and if so, assess the environmental damage and also assess environmental compensation apart from suggesting remedial measures for restoring the damage caused to environment (8) Whether any excess mining has been done other than in the permitted area and also within the mining area but in prohibited area such as in safer zone and buffer zone to be provided as per the mining lease, if so what is quantity of excess/ illegal mining and assess the value of the same as mentioned in Common Cause Case to be recovered from persons responsible for the same.

5) It is further submitted that, the Hon'ble National Green Tribunal, Chennai(SZ) in para 9 of the order nominating the Assistant Director of Geology and Mining, Salem as the Nodal Agency for Co-ordination and for providing necessary logistics for this purpose.

6) It is further submitted that the Hon'ble National Green Tribunal, Chennai (SZ) in para 11 of the order directed the committee to submit the report to the Tribunal on or before 11.11.2021 by e-filing in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF along with necessary hard copies to be produced as per rules.

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**SALEM.**

7) It is further submitted that, a joint committee has been constituted comprising the following members to inspect the subject quarries located in Masinaickanpatti Village, Valappadi Taluk .

- i) Dr.C.Palpandi, Scientist 'D', MoEF& CC, IRO, Chennai.
- ii) Thiru.R.Rajkumar, Scientist 'D', CPCB, Chennai.
- iii) Thiru.P.Murali, Assistant Engineer, SEIAA, Chennai.
- iv) Thiru.Gopalakrishnan, District Environmental Engineer, TNPCB, Salem.
- v) Tmt. R.Jayanthi, Deputy Director of Geology and Mining, Salem.

8) The above mentioned committee members have inspected the following quarries and connected crusher units on 29.10.2021 and 01.11.2021.

Quarry details:

Respondent in Sl. No	Name and address of the lessee	Classification	S.F.No. & Extent in hecst	Date of grant of lease	Period
11	Tvl. Sri Parasakthi Crusher Private Limited represented by its Managing Director Thiru. P.Baskaran S/o.Palaniappan, Varagampadi Village, Masinaickenpatty Post, Valapady Taluk, Salem District.	Patta land	243/1 (Part) - 1.37.0 Hecst	Collector's Proceedings Roc. 480/ 2017/ Mines-A/ dated 14.04.2018.	5 Years From 15.7.2018 To 14.7.2023
12	Tmt.K.Neela W/o.M.Karunan, No.5/156, E.B.Colony, Maisnaickenpatty, Salem-636 103.	Govt. Poramboke land	199/1(P) -1.00.0 Hecst.	Collector's Proceedings Roc.80/2018/ Mines-A dated 31.01.2020.	10 Years From 31.01.2020 to 30.01.2030
13	Tmt.K.Lakshmi Malliga, W/o.Kasi Viswanathan, No.6/279, Kasi Nagar, Masinaickenpatty, Salem-636 103.	Govt. Poramboke land	212/3 (Part)- 1.00.0 Hecst.	i) Precise Communication issued and Mining Plan has been approved. Environmental Clearance is awaited. ii) quarry lease not yet granted.	

Respondent in Sl. No	Name and address of the lessee	Classification	S.F.No. & Extent in Hects	Date of grant of lease	Period
14(i)	Tmt. D.Lavanya W/o.Selvakumar, Door No.141/56, V.M.R Ngaar, Meyyanur, Salem-636 004.	Govt. Poramboke land	199/1(P)- 3.00.0 Hects.	Quarry lease not yet granted.	
14(ii)	Tmt. D.Lavanya W/o.Selvakumar, Door No.141/56, V.M.R Ngaar, Meyyanur, Salem-636 004.	Patta land	199/12- 0.73.0 Hects.	Collector's Proceedings Roc.521/2016/ Mines-A/ dated 30.11.2017	5 Years From 03.01.2018 To 02.01.2023
15	Thiru.B.Gokulnath S/o.P.Baskaran, No.100NA, Meenangkadu, Masinaickena patty,Valapady, Salem-636 103.	Govt. Poramboke land  Rough Stone	241/14 (Part)- 1.00.0 Hects.	Proceedings of the Assistant Director (I/c) of Geology and Mining, Salem Roc. 184/ 2020/ Mines-A dated 29.12.2020.	10 Years From 29.12.2020 to 28.12.2030

- i. Except the respondent Sl.No:13 in the above table , all other had obtained Environmental Clearance and Tamil Nadu Pollution Control Board Clearance as per environmental laws for quarries.
- ii. Due to North East monsoon/rain, Air &Noise monitoring could not be conducted. Moreover the members of the Tamil Nadu and Central Pollution Control Board have informed that the Air & Noise monitoring can be taken during February after Northeast monsoon period.
- iii. In order to assess the quarry pit measurements and quantity of mineral excavated, the DGPS survey has to be carried out and which requires furthermore time.

In view of the above reasons, it is humbly prayed that three months time may be given to file Joint Committee report before the Hon'ble National Green Tribunal (SZ), Chennai.

*10/1/24*  
**DEPUTY DIRECTOR  
Dept. of Geology & Mining,  
SALEM.**

**VERIFICATION**

I, R. Jayanthi, D/o. T.Rangasamy, Deputy Director, Department of Geology and Mining, Salem District do hereby verify that the contents of above report are true to the best of my Knowledge through records.

Verified at Salem on this 10<sup>th</sup> day of November 2021

*Jayanthi*  
**DEPUTY DIRECTOR**  
**Dept. of Geology & Mining,**  
**SALEM.**