

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No. 211 of 2021 (SZ)

IN THE MATTER OF:

P.Palaniappan

...Applicant

Versus

Union of India and Others

...Respondent(s)

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Through

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Standing Counsel of Tamil Nadu,
National Green Tribunal,
South Zone, Chennai

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

in

O.A.No.211 of 2021 (SZ)

IN THE MATTER OF:

P. Palaniappan

.....Applicant(s)

Vs

Union of India and Others

...Respondent(s)

Status Report on the Action taken filed by the 8th Respondent

February, 2024

Status Report on the Action taken in connection with the O.A.No.211 of 2021(SZ) Order dated 04.09.2023 filed by the 8th Respondent before the Hon'ble National Green Tribunal, Southern Zone, Chennai.

With regard to the O.A No.211 of 2021 (SZ) filed by Thiru.Palaniappan, the Hon'ble National Green Tribunal, Southern Zone, Chennai in its order dated 04.09.2023, directed to file a detailed report regarding the illegal quantity that has been mined after lease period was over and the action taken by the Department of Geology and Mining and also the levy of penalty.

As directed by the Hon'ble National Green Tribunal (SZ), Chennai, the detailed action taken report regarding the illegal quantity that has been mined after lease period was over and the action taken by the Department of Geology and Mining and also the levy of penalty was filed by the 8th respondent before the Hon'ble Green Tribunal (SZ), uploaded on 04.02.2024.

The above case came up for hearing on 05.02.2024 before the Hon'ble National Green Tribunal (SZ), the Hon'ble Tribunal have posted the matter on 23.02.2024 for final hearing.

In this connection, the status on the action taken is submitted below.

1. The Revenue Divisional Officer, Salem by his order dated 23.01.2024 in Rc.No.175/2022/A2, has levied penalty to a tune of Rs.46,80,175/- for the excess removal of 79,325 CBM of Roughstone in the lease hold area to the **11th respondent, Sri Parasakthi Crusher Rep. by P.Bhaskar,**

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Rs.23,50,574/- for the excess removal of 36,604 CBM of Roughstone and 5,786 CBM of Topsoil / Gravel in the lease hold area and Rs.25,35,649/- for the illegal removal of 5,204 CBM of Roughstone and 1,301 CBM of Topsoil / Gravel in the non-leased area to the **12th respondent, Sri Annamar Blue Metals Rep. by its Proprietor**, Rs.53,28,114/- for the excess removal of 86,889 CBM of Roughstone and 6,111 CBM of Topsoil / Gravel in the lease hold area and Rs.1,60,29,041/- for the illegal removal of 35,626 CBM of Roughstone and 2,019 CBM of Topsoil / Gravel in the non-leased area to the **13th respondent Sri Vijayalakshmi Blue Metals Rep. by its Proprietor**, Rs.89,47,962/- for the excess removal of 1,45,566 CBM of Roughstone and 10,896 CBM of Topsoil / Gravel in the lease hold area and Rs.8,90,52,290/- for the illegal removal of 1,98,265 CBM of Roughstone and 10,435 CBM of Topsoil / Gravel in the non-leased area to the **14th respondent MLA crusher @K.S. Blue Metals and Girisagajanya Project Rep. by its Kandasamy Selvakumar**, Rs.45,231/- for the excess removal of 492 CBM of Roughstone and 491 CBM of Topsoil / Gravel in the lease hold area to the **15th respondent Thiru.B.Gokulnath S/o.Bhaskar.**

2. Among the respondents, at present the Respondent 12th and 15th having valid quarry leases as on date and the other Respondents viz., 11th, 13th and 14th not having any valid quarry leases.
3. Though, the penalty levied to the 12th respondent (Sri Annamar Blue Metals) was Rs.48,86,223/-, she has remitted an amount of Rs.18,00,000/- to the Government and

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the remaining penalty amount being paid by the respondent as instalment basis, i.e., Rs.1,00,000/- per month and operated the quarry as per the Proceedings of the Commissioner of Geology and Mining, Chennai in Rc.No. 548/MM1/2023 dated 14.02.2023.

4. The 13th respondent, i.e., Proprietrix of Vijyalakshmi Blue Metals, Tmt.Lakshmi mallika W/o.Kasiviswanathan has obtained all statutory clearance from the relevant authorities for the proposed quarry area situated in Government Poramboke S.F.No.212/3 (Part) over an extent of 1.00.0 Hects. of Masinaickenpatti Village, Valapady Taluk. However, the lease agreement yet to be executed with the Government. Since, the penalty due is pending, the execution of lease deed could not be considered at this stage.
5. The 14th respondent (Tmt.D.Lavanya W/o.Selvakumar) has obtained all statutory clearance from the relevant authorities for the proposed quarry area situated in Government Poramboke S.F.No.199/1 (Part) over an extent of 3.00.0 Hects. of Masinaickenpatti Village, Valapady Taluk. However, the lease agreement yet to be executed with the Government. Since, the penalty due is pending, the execution of lease deed could not be considered at this stage.
6. The 15th respondent has operated the quarry under the strength of Hon'ble High Court Order dated 18.08.2022 in W.P.No.20103 of 2022. Even though, the 15th respondent Thiru.B.Gokulnath S/o.Bhaskar has remitted the penalty amount to the Government as levied by the Revenue Divisional Officer, Salem.

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Therefore, it is most respectfully prayed that, this Hon'ble Tribunal may be pleased to accept this status report on the action taken regarding the illegal quantity that has been mined after lease period was over and the action taken by the Department of Geology and Mining and also the levy of penalty and realization of penalty and to issue suitable orders as this Hon'ble Tribunal may deem fit and thus render justice.

Prasad
Deputy Director,
Dept. of Geology and Mining,
Salem.

*On 4
20.2.24*