

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)

INDEX

S.No.	Date	Particulars	Pg. No.
1.	01.04.2024	Action taken Report filed by the Department of Mines and Geology, Salem – 8 th Respondent	1 – 6

(**Note:** The page numbers are found at the top of every page)



Through

Dr. D. Shanmuganathan

Standing Counsel of Tamil Nadu,

National Green Tribunal,

Southern Zone, Chennai

Date: 05.04.2024

**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

April, 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.

Further, as directed by the Hon'ble Green Tribunal on 05.02.2024, the status report on the action taken report in connection with the Order dated 04.09.2023 was filed by the 8th respondent before the Hon'ble Green Tribunal (SZ), uploaded on 22.02.2024.

On 23.02.2024, the above case came up for hearing, the Hon'ble National Green Tribunal (SZ) have posted the matter on 02.04.2024 for final hearing.

In this connection, the present status report 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**, 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.1,60,29,481/- 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, 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. The 11th respondent herein been levied penalty Rs.46,80,175/-, the respondent has paid entire penalty amount along with interest of Rs.3,945/- through E-challan Nos.20240304008621 dated 05.03.2024, 20240313015905 dated 13.03.2024, 20240321004629 dated 25.03.2024 and 20240325010456 dated 27.03.2024. **As of, the 11th respondent had been remitted entire penalty amount as levied by the Revenue Divisional Officer, Salem vide Rc.No. 175/ 2022/A2 dated 23.01.2024.**
4. The 12th respondent herein been levied Rs.48,86,223/-, she has remitted an amount of Rs.32,86,223/- with interest of Rs.6,483/- towards the balance penalty amount through E-challan No.20240325005301 dated 27.03.2024, besides the earlier remittances vide E-Challan No.20230324019563 dated 24.03.2023, 20231219013973 dated 19.12.2023, 20240122001579 dated 22.01.2024 and 20240212006655 dated 12.02.2024. **As of, the 12th respondent had been remitted entire penalty amount as levied by the Revenue Divisional Officer, Salem vide Rc.No.175/ 2022/A2 dated 23.01.2024.**
5. **The 13th respondent herein, had been levied a penalty amount of Rs.2,13,57,595/-, they did not paid the penalty so far.** Further, 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.

6. The 14th respondent herein, had been levied a penalty amount of Rs.9,80,00,252/- **they have filed appeal dated 05.03.2024 before the District Collector, Salem against the penalty levied order of the Revenue Divisional Officer, Salem in Proceedings Rc.No.175/2022/A2 dated 23.01.2024 under rule 36(C) of Tamil Nadu Minor Mineral Concession Rules, 1959 and it is pending.**

Further, 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 pending of penalty due and the subsequent appeal, the execution of lease deed could not be considered at this stage.

7. **The 15th respondent herein been levied Rs.45,231/-, he has remitted entire penalty amount through E-challan No. 20240213007455 dated 13.02.2024.** Now, the subject quarry is under operation.

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.

lpsml 01-04-2024
Deputy Director,
Dept. of Geology and Mining,
Salem.

*lpsml
1.4.24*