

**BEFORE THE NATIONAL GREEN TRIBUNAL (SZ), SITTING AT
CHENNAI**
(Under Section 18(1) read with Sections 14 of National Green Tribunal
Act, 2010)

Original Application No. 211 OF 2021 (SZ)

P.Palaniappan
S/o Ponnusamy
Meenangadu, Masinaickenpatti PO,
Salem District – 636 103
Phone No: 9943743099
Email : palaniyappan.p@outlook.com

.. APPLICANT

- AND -

1. The Ministry of Environment,
Forest and Climate Change
Rep.by.its Under Secretary
3rd Floor, Prithvi-Block
Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi – 110 003
Phone No : +91-11- 24695357
Email id: mefcc@gov.in
& Others

.. Respondents

**OBJECTIONS TO THE INTERIM REPORT DATED 03.01.2022 FILED
BY THE 8th RESPONDENT**

1. The applicant states that this Hon'ble Tribunal on 30.09.2021 passed interim orders in the following terms:

"8. The Committee is directed to 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 that 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 and (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."

2. The applicant states that the order dated 03.01.2022 has not been followed in letter and spirit. No proper committee has envisaged in Para 7 of the order has been constituted. In fact the interim report is filed only by the 8th Respondent.
3. The applicant states that the order dated 03.01.2022 at Para 8 clearly directs the committee to ascertain 8 points however none of the directions pointed in Para 8 of the order has been complied with.
4. The applicant states that the committee under the headship of 8th Respondent have failed to carry out the inspection in a scientific manner and have consequently failed to bring to light the real state of affairs.
5. The applicant states that the committee has failed to bring to light several facts and the following are the quarry wise objections to the same;

I. Gokulnath Quarry (S.F.No.241/14)

i. Gokulnath in his application to the Pollution Control Board has suppressed the existence of a lake spreading to an extent of 28 acres in S.F.No.189. The lake is situated at a distance of 1 Km from the quarry.

ii. The water bodies like puddle and ponds situated within 10 mtrs from the quarry have been suppressed.

iii. They claim to have formed a green belt and have enclosed photos in the papers filed before the Tribunal. The green area reflected in the photographs are not maintained by the quarry operators but it is being maintained by the applicant. In the said area several plantations have been made including rearing of mango trees. The water to this area is brought from the Patta lands in S.F.No.241/2B through an underground pipeline. The said land which is cultivated and maintained by the applicant has been wrongfully claimed by the quarry operators as being maintained by them.

iv. Only a few days before the inspection by the Committee appointed by the Tribunal, Gokulnath has put up fencing and the caution boards with the assistance of local police despite protest by the locals.

v. Electric poles are located within 10 kms from the quarry which fact has been suppressed in the application for environmental clearance.

II. Parasakathi Crushers (S.F.No.243/1)

i. Baskaran the proprietor of Parasakthi Crushers & Quarry has filled the quarry with sand attempting to reduce the depth of the quarry. The Committee appointed by the Tribunal has also not measured the depth accurately. There is an excess depth of 100 feet beyond the depth furnished by the committee.

ii. Only a few days before the Committee members came for inspection, fencing was done to the quarry area and saplings were planted.

iii. The trees planted around the crusher were not planted by Baskaran but by the applicant. The photographs do not depict the real picture. The photographs have been photo shopped to project as if the area has been developed as a green belt.

iv. Since it was rainy season when the Committee inspected the quarry, water level in the quarry was higher and therefore proper depth was not measured and also the quality of water was not assessed properly.

v. Other quarries also in their application for environmental clearance have suppressed the existence of puddles, ponds, lakes and check dams near the quarry.

III. Vijayalakshmi Blue Metals Crusher and Lakshmi Mallika Stone quarry (S.F. No. 212, 212/3)

i. In their application to the Pollution Control Board they have suppressed the existence of a lake spreading to an extent of 28 acres in S.F.No.189. The lake is situated at a distance of 1 Km from the quarry.

ii. Within 300 mtrs from Lakshmi Mallika Stone quarry people are inhabiting in their houses.

iii. The presence of houses and inhabitation has not been stated in the report filed by the Committee.

IV. Vijayalakshmi Blue Metals Crusher

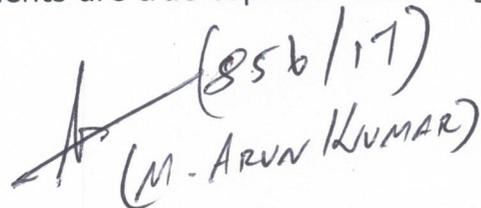
- i. The Committee has not inspected Vijayalakshmi Blue Metals Crusher
- ii. Within a distance of 150 feet from Vijayalakshmi Blue Metals Crusher the following are situated.
 - a. Mariamman Temple
 - b. Anganwadi School
 - c. School
 - d. Houses constructed by slum clearance board

None of these has been inspected.

- iii. The existence of quarries whose license have expired are located between Vijayalakshmi Blue Metals Crusher and the inhabitation of locals: This has also not been dealt with by the Committee.

Certified that the above documents are true copies of their originals

Dated 6th day of June, 2022


(856/17)
(M. ARUN KUMAR)

COUNSEL FOR THE APPLICANT









தமிழ் ஒன்றிய தொடர் கல்யாணி, காலநகர்.



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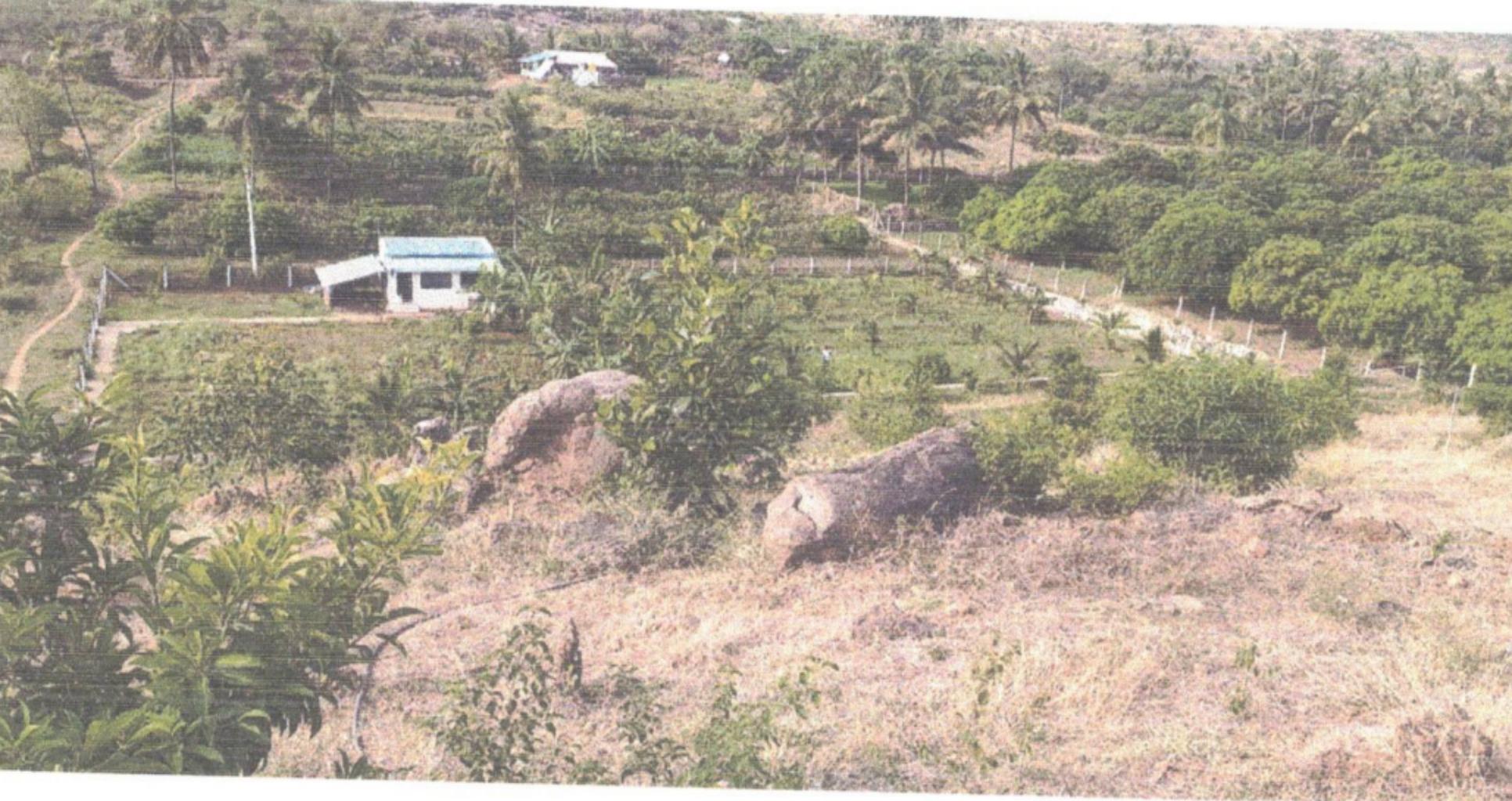
















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