

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
(SOUTHERN ZONE BENCH, CHENNAI)**

**APPEAL No. 21 of 2020 (SZ)
With
APPEAL No. 22 of 2020 (SZ)**

**REMARKS SUBMITTED BY THE 6TH RESPONDENT IN RESPECT OF THE
REPLY STATEMENT FILED BY THE 7TH RESPONDENT**

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Dated at Chennai on this the 17th day of August, 2022.

M/s. E.K.KUMARESAN

Standing Counsel for State Government of Kerala - NGT(SZ) Chennai Bench

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REMARKS OF 6TH RESPONDENT, GEOLOGIST, KOLLAM
REGARDING REPLY STATEMENT FILED BY 7TH RESPONDENT IN
APPEAL NUMBER 21/2020 FILED BY SMT SWATHY. R BEFORE THE
HON'BLE NATIONAL GREEN TRIBUNAL
(SOUTHERN BENCH) AT CHENNAI.

- 1-5 No Comments
6. It is humbly submitted that a quarrying lease has been granted to the 7th respondent in an area of 4.5572 Hectars of land comprised in Block No. 56, Survey No. 76/8, 77/1, 77/2, 78/9, 97/1, 97/2 in Mancode Village, Kollarakara Taluk, Kollam District. The lessee has submitted statutory licenses viz. Environmental Clearance, Consent to operate from Pollution Control Board, Explosive License, Panchayath Licence has not been produced. Hence the 7th respondent has approached the Tribunal for Local Self Government Institute and Tribunal has issued order directing the Panchayath not to interfere with the functioning of the quarry. This respondent has received a clarification letter dated 28.04.2022 from the Tribunal for Local Self Government Institutions, Thiruvananthapuram, that the quarry can work. The quarry has been working in the purampoke land with NOC from District Collector with specify condition to supply 50% of the mined rock to Vizhinjam project and 50% for Government work in Kollam District.
7. The house of Smt. Swathi is no where near the quarry. The property of Smt. Swathy shares boundary with the lease area. But a bufferzone of 7.5 meter width exists between the lease area and property of Smt. Swathy. This respondent has inspected the site and found that the buffer zone between the lease area and property of Smt. Swathy is intact and mining has not affected the property of Smt. Swathy. As per Kerala Minor Mineral Concession Rules, 2015 distance criteria is only from residential buildings and public structures. Only 7.5 meter buffer has to be left from the property. No river has been seen in the applied area.



- 8. No residential buildings, public roads etc with in the stipulated distance from the quarry. Smt. Swathy's property falling in survey number 97/8 of Mancode Village share boundary with the applied area.
- 9. There are no working quarries with in 500 meter radius from the averred quarry. Only an abandoned quarry exist within 500 meter radius.
- 10- 14 No Comments.
- 15 The averred quarry has got valid Environmental Clearance. The area does not come under the area succceptable to landslide as per landslide hazard zonation map of SDMA. No mining activity noticed in area near to the land of the petitioner Smt. Swathy. The 7.5 meter buffer zone remains intact and until and unless the buffer zone has been mined, the quarrying activity won't affect lateral support of Smt. Swathy's property.
- 16, 17 No Comments.
- 18. No land slide have been reported in the area so far and not comes under the land succceptable to land slide as per landslide hazard zonation map of SDMA.
- 19-22 No Comments

It is most humbly submitted that, this respondent has noticed illegal mining in resurvey numbers 76/8, 77/1, 77/2, 78/9, 97/1, 97/2 and for excess mining of 41167.5 metric tone of granite building stone and compounded the offence realizing an amount of Rs. 32,64,060/- (Thirty Two Lakhs Sixty Four Thousand and Sixty only) towards royalty, price and fine. Now the mine is working in the applied area and no area violation has been noticed.

Dated this on 14th day of July 2022



GEOLOGIST
6th respondent