

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE
BENCH, CHENNAI**

APPEAL NO. 25 of 2023

IN THE MATTER OF: -

Alex Paul

.... Applicant

Versus

The Member Secretary, SEIAA and anr.

.... Respondent

**COUNTER AFFIDAVIT FILED ON BEHALF OF STATE LEVEL
ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA)**



Filed by:
G.M. SYED NURULLAH SHERIFF
Senior Standing Counsel
MoEF & Cc.
Mob. No. 9444015330
Counsel for Respondent no. 1

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE AT CHENNAI
Appeal No. 25 of 2023**

IN THE MATTER OF:

Alex paul

Son of K.C. Paulose aged about 51 years
Kottalil House,
Kunnekal Post, Muvattupuzhal,
Ernakulam District ,
Kerala state - 682316
Email id : alexapaulkottalil@gmail.com
Phone : 9447107434

..... Applicant

Versus

**1. The STATE ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY,
TAMIL NADU**

Third Floor, Panagal Maligai,
No.1, Jeenis Road, Saidapet, Chennai- 600015.
Phone : 044- 24359973
Email.: mstnseiaa@yahoo.com

2. STATE LEVEL EXPERT APPRAISAL COMMITTEE,

Through the Member Secretary
Third Floor, Panagal Maligai,
No.1, Jeenis Road, Saidapet, Chennai- 600015.
Phone: 044- 24359973
Email: mstnseiaa@yahoo.com

.....Respondent

Member Secretary
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY - TN
Panagal Maligai, No.1, Jeenis Road,
Saidapet, Chennai - 15



Member Secretary
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY - TN
Panagal Maligai, No.1, Jeenis Road,
Saidapet, Chennai - 15

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COUNTER AFFIDAVIT FILED ON BEHALF OF SEIAA –
Tamilnadu, THE IST and IIST RESPONDENTS

I, Deepak S. Bilgi, I.F.S., working as Member Secretary, State Level Environment Impact Assessment Authority, Tamil Nadu (SEIAA-TN) having office at Third Floor, Panagal Maaligai, Saidapet, Chennai – 600015 solemnly affirm and sincerely state as follows:

1. I am filing this counter affidavit on behalf of the 1ST & 2nd Respondent/SEIAA-TN herein and as such I am well acquainted with the facts and the circumstances of the case from the records available in this office.
2. I deny the averments and allegations stated in this Appeal No.25 of 2023 except those that are specifically admitted hereunder and put the applicant to strict proof of the same.
3. It is respectfully submitted that; the project proponent has applied to State Level Environment Impact Assessment Authority – Tamil Nadu (**SEIAA-TN**) seeking prior Environmental Clearance for the proposed Filed before Respondent No.1 on 01.12.2022 under the category 'B2' of item No.1 (a) "Mining of Minerals" of the Schedule to the EIA notification , 2006 for the Rough Stone and Gravel quarry over an extent of 4.52.0 ha in patta land bearing S.F.Nos. 531/1B (Part) of ponmanai A Village , Thiruvattar Taluk , Kanniyakumari Distict , Tamil nadu vide proposal No.SIA/TN/MIN/408810/2022 dated 01.12.2022 .
4. The proposal was placed in this **364th Meeting** of **SEAC** held on 23.03.2023. The project proponent gave detailed presentation.

STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY - TN
Panagal Maaligai, No.1, Jeanis Road,
Saidapet, Chennai - 15

Member Secretary

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The details of the project furnished by the proponent are available in the website (parivesh.nic.in).

1. The project proponent, Thiru. Alex Paul has applied for Environmental Clearance for the proposed Rough Stone and Gravel quarry over an extent of 4.52.0 Ha in S.F.No. 531/1B (Part) of Ponmanai A Village, Thiruvattar Taluk, Kanniyakumari District, Tamil Nadu.
2. The project/activity is covered under Category "B2" of Item 1(a) "Mining of Mineral Projects" of the Schedule to the EIA Notification, 2006.
3. As per mining plan, the lease period is 5 years. The mining plan is for 5 years & production should not exceed 4,43,015cu.m. of Rough Stone and 30,958cu.m of Gravel. The annual peak production 94,810cu.m. of Rough Stone & 14,118 cu.m of Gravel. The maximum depth of mining would be 116m (1m Gravel + 115m Rough stone [96m AGL + 20m BGL]).

Now, the proposal was placed in this 364th meeting of SEAC held on 23.03.2023. During the presentation, the SEAC had observed the following:

1. The proposed quarry site is located in an ecologically sensitive area of Western Ghats and is surrounded by thick vegetation.

Further, the proposed mine lease area is in the top of a hill which appears to be a watershed which will in turn have implications on the contribution of surface runoff.

- 2. The proposed site is at a distance of approximately 2.75km from Kanniyakumari Wildlife Sanctuary.
- 3. There is a National Highway located at a distance of 443 m from the foothill of the proposed mine lease area which falls within 500 m danger zone as stipulated by the DGMS for the blasting operations and it could possibly pose a threat to the vehicles plying on the Highway.
- 4. **The quarrying operation may cause depletion of fertile topsoil which will lead to environmental degradation to flora and fauna in and around the area.**

Based on the documents and presentation made by the proponent, **SEAC after detailed discussions decided not to recommend this project proposal considering all the above factors.**

- 5. The proposal was placed in this **611th Meeting** of **SEIAA** held on 12.04.2023. The project proponent gave detailed presentation. The details of the project furnished by the proponent are available in the website (parivesh.nic.in).

Based on the documents and presentation made by the proponent, SEAC after detailed discussions decided not to recommend this project proposal considering all the above factors. In the view of the above, **SEIAA (State Level Environment Impact Assessment Authority)** accepts the decision of SEAC and decided to request Member Secretary, SEIAA-TN to issue rejection letter to proponent as per the 364s SEAC minutes.

Member Secretary
 STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY - TN
 Panagal Maligai, No.1, Jeeris Road,
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6. In this regard the Rejection letter was communicated to the project proponent by SEIAA vide letter No. SEIAA-TN/F.No.9625/2022 dated 25.05.2023 and in continuation to it the above said file was closed and recorded accordingly.

**FIRST & SECOND
RESPONDENT**

Solemnly affirmed at Chennai
On this ¹⁴ 4 day of November 2023
& Signed his name in my presence.

BEFORE ME

[Handwritten Signature]
Member Secretary

SEIAA-TN

Member Secretary
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY - TN
Panagal Maligai, No.1, Jeenis Road,
Saidapet, Chennai - 15