

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI.

Original Application No.29 of 2021 (SZ)

Ramkumar  
S/o. Murugan,  
Cuddalore District

...Applicant

Vs

The District Collector,  
Collectorate,  
Cuddalore District Ors.

...Respondents

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Filed by  
Thiru.S. Sai Sathya Jith,  
Advocate, Chennai.

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Vs

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...Respondents

**REPORT FILED ON BEHALF OF THE 8<sup>TH</sup> RESPONDENT  
TAMIL NADU POLLUTION CONTROL BOARD.**

I, S. Rajan, S/o. M.S.Subramanian, Hindu, aged about 58 years, having my office at 76, Mount Salai, Guindy, Chennai-600032, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Additional Chief Environmental Engineer, Tamil Nadu Pollution Control Board (TNPCB), Chennai -600 032, and filing this Report on behalf of the Respondents Tamil Nadu Pollution Control Board (TNPCB) and as such I am well acquainted with the facts of the case from the records.

2. It is respectively submitted that the 9th respondent unit M/s. Krishnamoorthy Gravel Quarry, S.F.No. 78/3A, Semmedu Village, Panruti Taluk and Cuddalore District has obtained consent to operate vide Board Proceeding no: F.0709 CUD/ RS/ DEE/ TNPCB/ CUD/ W&A/ 2018 DATED: 01/08/2018 for the following product

“Quarrying of Gravel at S.F.No. 78/3A, over an extent of 1.72.5 hect of Semmedu Village, Panruti Tk, Cuddalore Dist at latitude 11 44'15.36"N to 11 44'19.20" N and longitude of 79 29'14.94"E to 79 29'20.76"E quarrying at depth of 2 meter for 2 Years – 17056 Cubic meter with a validity up to 26.11.2019.”

3. It is respectfully submitted that two cases were filed before the Hon'ble National Green Tribunal (SZ) in the O.A.No. 29 of 2021 & O.A. No.

  
30/1/23  
**ADDITIONAL CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No.76, MOUNT SALAI, GUINDY,  
CHENNAI-600 032.**

ADDITIONAL CHIEF ENVIRONMENTAL ENGINEER  
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210 of 2021 by the applicant Thiru Ram Kumar and one Thiru. A. Vetrivel respectively against illegal Quarry being done by the 9<sup>th</sup> respondent M/s. Krishnamoorthy Gravel Quarry at S.F.No.78/3A, Semmedu Village, Panruti Taluk, Cuddalore District.

4. It is respectfully submitted that as per the orders of the Hon'ble NGT (SZ) dated 05.02.2021 Committee has already inspected the 9<sup>th</sup> respondent unit and the Joint Committee report dated 04.03.2021 was filed before the Hon'ble NGT.

5. It is further submitted that as per orders of the Hon'ble NGT dated 16.08.2021 and as per the letter from the District Collector, Cuddalore to the District Environmental Engineer, TNPCB, Cuddalore dated 27.08.2021, the Environmental Compensation was worked out and submitted to Board vide letter dated 21.09.2021 and 11.11.2021.

In this connection, The Chairman, Tami Nadu Pollution Control Board has issued Show Cause Notice to the 9<sup>th</sup> respondent Proprietor, M/s. Krishnamoorthy Gravel Quarry at S.F.No.78/3A, Semmedu Village, Panruti Taluk, Cuddalore District under Section 5 of the Environmental (Protection) Act 1986 as amended vide Proceedings dated 06.12.2021.

Further, The Assistant Director, Geology & Mining, Cuddalore was informed to file the Environmental Compensation to the Hon'ble NGT (SZ) on behalf of the Joint Committee constituted for O.A.No.29 of 2021 vide letter dated 21.09.2021, by the DEE, TNPCB, Cuddalore, since the Department of Geology & Mining is the Nodal Department.

6. It is respectfully submitted that in the matter of O.A.No.210 of 2021 (SZ), the Joint Committee is constituted with the same members and the Joint Committee has inspected the 9<sup>th</sup> respondent unit M/s. Krishnamoorthy Gravel Quarry on 08.10.2021 and the Joint Committee report was filed in the Hon'ble National Green Tribunal (SZ).

7. It is respectfully submitted that the Environmental Compensation has already been imposed against the 9<sup>th</sup> respondent unit by the Hon'ble National Green Tribunal (SZ) in its order dated 18.08.2022 and directed inter alia that,

*"The State Pollution Control Board which is the 8th respondent has already inspected the site and awarded environmental compensation to be*

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recovered from the 9th respondent which amounts to a sum of Rs.6,82,240/- (Rupees Six Lakh Eighty Two Thousand Two and Forty only). The State Pollution Control Board has also issued a show cause notice on 06.12.2021 in this regard. The outcome of which is not reported yet. Similarly, the Department of Mines and Geology has also filed their report which was awarded the penalty amount for the excessive quarried gravel as per the Tamil Nadu Minor Mineral Concession Rules, 1959 to the tune of Rs.62,50,440/- (Rupees Sixty Two Lakhs Fifty Thousand Four Hundred and Forty only) in addition to the above sum, an environmental compensation of sum of Rs.6,82,240/- (Rupees Six Lakh Eighty Two Thousand Two Hundred and Forty only) also been levied, recoverable from the 9th respondent.”

8. It is respectfully submitted that the unit has not furnished any reply for the show cause notice issued dated 06.12.2021 and also not remitted the Environmental Compensation of Rs. 6,82,240/- levied by the Board.

9. It is respectfully submitted that the unit was issued with directions under section 5 of the Environment (Protection) Act, 1986 vide Board proceeding dated 30.01.2023 to remit an environmental compensation of Rs.6,82,240/- (Rupees Six Lakh Eighty Two Thousand Two Hundred and Forty only)

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstance of this case and thus render justice.

  
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**BEFORE ME**

#### VERIFICATION

I, S. Rajan, S/o. M.S.Subramanian, working as Additional Chief Environmental Engineer, having office at No. 76, Anna Salai, Guindy, Chennai - 32, do hereby submit that the above contents are true to the best of my knowledge and belief through records.

  
20.1.23  
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RESPONDENT - TAMIL NADU  
POLLUTION CONTROL BOARD.

Advocate for Respondent: TNPCB  
Thiru.Sai Sathya Jith,  
Advocate, Chennai.

Date:30.01.2023.

Date of hearing on:31.01.2023.