

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

APPEAL NO. 41 of 2023

IN THE MATTER OF: -

N. Thangavel

.... Applicant

Versus

The Member Secretary, SEIAA and Ors.

.... 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, CHENNAI

Appeal No.41 of 2023 (SZ)

N. Thangavel

Vs

State Level Environment Impact Assessment Authority (SEIAA),

&

State Level Expert Appraisal Committee (SEAC)

INDEX

S.No.	Description	Page No.
1.	Reply Affidavit on Behalf of Responded No I, II Responded the Member Secretary , State Level Environment Impact Assessment Authority – Tamil Nadu, Third Floor, Panagal Maaligai, No.1, Jeenis Road, Saidapet, Chennai – 600 015.	2 - 6
2.	ANNEXURE 1 – R1/R 2 Minutes of 365th SEAC Meeting held on 24.03.2023.	7 - 10
3.	ANNEXURE 2 – R1/R 2 Minutes of 612th SEIAA-TN Meeting held on 17.04.2023 & 18.04.2023.	11 - 14
4.	ANNEXURE 3 -- R1/R2 SEIAA-TN Rejection letter sent to Proponent dated: 25.05.2023.	21 - 23
5.	ANNEXURE 3 -- R1/R2 SEIAA-TN Rejection letter sent to Proponent dated: 21.11.2023.	24 - 26

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

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**SOUTHERN ZONE, CHENNAI****Appeal No.41 of 2023 (SZ)**

N. Thangavel

S/o. Late Shri. Nagappagounder

No.20, Munnal Padai Veerar Colony

Bhavanisagar, Satyamangalam Taluk

Erode District - 638451

Email: vinoconstructionstr@gmail.com

Phone No: 9443040691.

... APPELLANT

Vs

1. State Level Environment Impact Assessment Authority (SEIAA),

Rep. by its Member Secretary,

3rd Floor, Panagal Maaligai, No.1, Jeenis Road,

Saidapet, Chennai – 600 015.

Email: seiaamstn@gmail.com

Phone No. 044-24359973

2. State Level Expert Appraisal Committee (SEAC),

Rep. by its Chairman,

3rd Floor, Panagal Maaligai, No.1, Jeenis Road,

Saidapet, Chennai – 600 015.

Email: seacchairmantn@gmail.com

Phone No. 044-24359973.

... RESPONDENTS



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

COUNTER AFFIDAVIT FILED ON BEHALF OF SEIAA – TAMIL NADU,
THE 1st AND 2nd RESPONDENTS

I, Deepak S. Bilgi, I.F.S., Age 44 years 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. At the outset, I deny the averments and allegations stated in this Appeal No.41 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 Thiru. N. Thangavel / Petitioner has applied to State Level Environment Impact Assessment Authority – Tamil Nadu (SEIAA-TN) seeking for Prior Environmental Clearance for the proposed Rough Stone and Gravel over an extent of 2.29.5, Ha at S.F.Nos. 271/6, 272/2 (P), 272/3 and 272/4 (P) of Thoppampalayam Village, Sathya Mangalam Taluk, Erode District, Tamil Nadu Vide online application no. SIA/TN/MIN/4121322/2022, Dated: 26.12.2022.
4. It is respectfully submitted that; the proposal was placed for appraisal in the 365th meeting of SEAC held on 24.03.2023. The project proponent gave detailed presentation. The details of the project furnished by the proponent are available in the website (parivesh.nic.in)

The SEAC noted the following:

- a) The project proponent, Thiru. N. Thangavel has applied for Environmental Clearance for the proposed Rough Stone and Gravel quarry over an extent of 2.29.5 Ha in S.F.No. 271/6, 272/2(P), 272/3 & 272/4(P) of Thoppampalayam Village, Sathya Mangalam Taluk, Erode District, Tamil Nadu


Member Secretary

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

- b) The project/activity is covered under Category "B2" of Item 1(a) "Mining of Mineral Projects" of the Schedule to the EIA Notification, 2006.
- c) The proposed quarry site is located in an ecologically sensitive area of Bhavani Sagar Reservoir and is located adjacent to the Velamundi RF.
- d) The proposed quarry was earlier operated in three spells (i.e., 1996 to 1999, 1999 to 2004, 2009 to 2014) and the existing depth of the quarry is 15 m below ground level.
- e) The Quarry operations were stopped due to the requirements of NBWL Clearance from 2014.
- f) Due to existence of R.F at 113 m, the quarry was not opened from 2021 even though the final Notification issued on Sathya Mangalam Tiger Reserve due to the existence of TN G.O on protection of R.F within 1 km from the quarry sites.
- g) The Quarry was operated earlier with the conventional drilling & blasting activities and a scientific study was carried out by the Department of Mining Engineering, Anna University Chennai as per the direction of the District Collector in 2011 to determine the impact of blasting operations in the cluster of mines situated within 10 km distance from the Bhavani Sagar Dam structure & embankment and it was recommended to carry out the blasting operations with the prescribed maximum charge per delay in every round under the direct supervision of statutory competent person appointed under the provisions of MMR 1961.
- h) Accordingly, the quarry was in operation involving the blasting operation as the District Collector had granted the permission with stipulating the recommendations of the aforesaid scientific studies as the conditions to be followed scrupulously.
- i) However, as per the KML file uploaded by the proponent in online through Parivesh portal, it is ascertained that,

I. The quarrying operations are proposed at a distance of 300 m from the catchment area of the Bhavani Sagar Reservoir in the Upstream Side.

II. The existing quarry is located at a distance of 3.8 Km from the Bhavani Sagar Dam structure in the upstream side.


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

- III. The existing quarry is situated at a distance of 5.32 Km approximately from the highly protected Sathya Mangalam Tiger Reserve.
- IV. The starting point of embankment structure of Bhavani Sagar Dam is located at a distance of 879m only from proposed mine lease area.

Based on the above facts, SEAC after detailed discussion and taking into consideration the safety of Bhavani Sagar Dam Structure and environmental setting of the site (Tiger Reserve) decided not to recommend this project proposal.

5. It is respectfully submitted that; The Authority in its 612th meeting held on 17.04.2023 & 18.04.2023, decided to request the Member Secretary, SEIAA-TN to grant rejection letter to proponent as per the 365th SEAC meeting minutes held on 24.03.2023.
6. It is respectfully submitted that; In view of the above, rejection letter was granted to the proponent Thiru. N. Thangavel vide letter. No. SEIAA-TN /F.No.9694/2022 dated: 25.05.2023
7. It is respectfully submitted that; Meanwhile the proponent Thiru. N. Thangavel had resubmitted a fresh online application vide Proposal No. SIA/TN/MIN/440129/2023. Dated 11.08.2023. for the same subject without any modification.
8. It is respectfully submitted that; In this regard the Rejection letter was communicated to the project proponent by SEIAA vide letter No. SEIAA-TN/F.No.10317/2023 dated: 21.11.2023 that the rejected proposals will not be re-considered for appraisal at SEIAA – TN. And in continuation to it's the above said file was closed and recorded accordingly.



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

Therefore, humbly prayed that this Hon'ble Tribunal may be pleased to record and pass orders as this Hon'ble Tribunal may deem to fit and proper in light of the facts and circumstances of this case and thus render justice.

Solemnly affirmed at Chennai on
this 19th day of December 2023 &
Signed his name in my presence



**FIRST & SECOND
RESPONDENT**

BEFORE ME


- 19/12/2023
MEMBER SECRETARY

SEIAA-TN

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

7

365th MEETING SEAC

DATE:24.03.2023

Agenda No. 365 - 22

(File No. 9687/2022)

Proposed Rough Stone and Gravel quarry over an extent of 3.08.0 Ha in S.F.No. 178/1B(P), 178/2A2(P), 178/2B(P), 179/3B(P) & 179/4B(P) of Ottapidaram Village, Ottapidaram Taluk, Thoothukudi District, Tamil Nadu by Thiru S. Pachaimal for Environmental Clearance. (SIA/TN/MIN/411892/2022, dated: 23.12.2022)

The proposal was placed in this 365th Meeting of SEAC held on 24.03.2023. The project proponent gave detailed presentation. The details of the project furnished by the proponent are available in the website (parivesh.nic.in).

The SEAC noted the following:

1. The project proponent, Thiru S. Pachaimal has applied for Environmental Clearance for the proposed Rough Stone and Gravel quarry over an extent of 3.08.0 Ha in S.F.No. 178/1B(P), 178/2A2(P), 178/2B(P), 179/3B(P) & 179/4B(P) of Ottapidaram Village, Ottapidaram Taluk, Thoothukudi District, Tamil Nadu
2. The project/activity is covered under Category "B2" of Item I(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 4,24,435cu.m. of Rough Stone and 17,278cu.m of Gravel. The annual peak production 87,270cu.m. of Rough Stone. The maximum depth of mining would be 40m BGL.

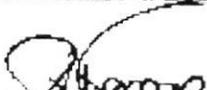
Based on the presentation and document furnished by the proponent, SEAC decided to call for additional details

1. There is a windmill installed at a distance of 90 m from the proposed mine lease area after the commencement of quarrying operations as per precise area communication letter issued vide Rc.G.MI/472/2016 Dated: 21.07.2022 and solar power plant located at a distance of 400m approximately as ascertained from the KML file uploaded by the proponent in Parivesh Portal.
Hence, the proponent is requested to carry out blast-induced vibration study & flyrock travel range distance and simulate the effects of blasting considering the structures (including windmill & solar panel) located at a distance of 50m, 100m, 200m, 300m and 500m from the proposed mine lease area, by involving any of these reputed Research and Academic Institution such as CSIR-Central Institute of Mining & Fuel Research / Dhanbad, NIRM, IIT-Madras, NIT-Dept of Mining Engg, Surathkal, and Anna University Chennai-CEG Campus and submit the report.

On receipt of the aforesaid details, the proposal will be considered for further deliberations.

Agenda No. 365 - 23

(File No. 9694/2022)


MEMBER SECRETARY
SEAC -TN

87


CHAIRMAN
SEAC -TN

9

Proposed Rough Stone and Gravel quarry over an extent of 2.29.5 Ha in S.F.No. 271/6, 272/2(P), 272/3 & 272/4(P) of Thoppampalayam Village, Sathyamangalam Taluk, Erode District, Tamil Nadu by Thiru. N. Thangavel - for Environmental Clearance. (SIA/TN/MIN/4121322/2022, dated: 26.12.2022)

The proposal was placed in this 365th Meeting of SEAC held on 24.03.2023. The project proponent gave detailed presentation. The details of the project furnished by the proponent are available in the website (parivesh.nic.in).

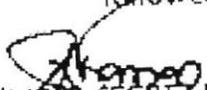
The SEAC noted the following:

1. The project proponent, Thiru. N. Thangavel has applied for Environmental Clearance for the proposed Rough Stone and Gravel quarry over an extent of 2.29.5 Ha in S.F.No. 271/6, 272/2(P), 272/3 & 272/4(P) of Thoppampalayam Village, Sathyamangalam Taluk, Erode 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.

Now, the proposal was placed in this 365th meeting of SEAC held on 24.03.2023. During the presentation, the SEAC had observed the following:

1. The proposed quarry site is located in an ecologically sensitive area of Bhavani Sagar Reservoir and is located adjacent to the Velamundi RF.
2. The proposed quarry was earlier operated in three spells (i.e., 1996 to 1999, 1999 to 2004, 2009 to 2014) and the existing depth of the quarry is 15 m below ground level.
3. The Quarry operations were stopped due to the requirements of NBWL Clearance from 2014.
4. Due to existence of R.F at 113 m, the quarry was not opened from 2021 even though the final Notification issued on Sathyamangalam Tiger Reserve due to the existence of TN G.O on protection of R.F within 1 km from the quarry sites.
5. The Quarry was operated earlier with the conventional drilling & blasting activities and a scientific study was carried out by the Department of Mining Engineering, Anna University Chennai as per the direction of the District Collector in 2011 to determine the impact of blasting operations in the cluster of mines situated within 10 km distance from the Bhavani Sagar Dam structure & embankment and it was recommended to carry out the blasting operations with the prescribed maximum charge per delay in every round under the direct supervision of statutory competent person appointed under the provisions of MMR 1961.
6. Accordingly, the quarry was in operation involving the blasting operation as the District Collector had granted the permission with stipulating the recommendations of the aforesaid scientific studies as the conditions to be followed scrupulously.


MEMBER SECRETARY
SEAC - TN

88

CHAIRMAN
SEAC - TN



7. However, as per the KML file uploaded by the proponent in online through Parivesh portal, it is ascertained that,
- The quarrying operations are proposed at a distance of 300 m from the catchment area of the Bhavani Sagar Reservoir in the Upstream Side.
 - The existing quarry is located at a distance of 3.8 Km from the Bhavani Sagar Dam structure in the upstream side.
 - The existing quarry is situated at a distance of 5.32 Km approximately from the highly protected Sathyamangalam Tiger Reserve.
 - The starting point of embankment structure of Bhavani Sagar Dam is located at a distance of 879m only from proposed mine lease area.

(Based on the above facts, SEAC after detailed discussion and taking into consideration the safety of Bhavani Sagar Dam Structure and environmental setting of the site (Tiger Reserve) decided not to recommend this project proposal.)

Agenda No: 365-24

(File No: 9660/2022)

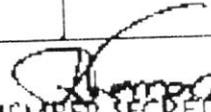
Proposed Rough Stone & Gravel quarry Lease over an extent of 1.61.0 Ha at S.F.No. 1126 & 1127/2 in Kunnur Village, Andipatti Taluk, Theni District, Tamil Nadu by Thiru.V.Venkatasamy - For Environmental Clearance (SI/TN/MIN/410302/2022 dated 13.12.2022)

The proposal is placed for appraisal in this 365th SEAC meeting held on 24.03.2023. The details of the project furnished by the proponent are given in the website (parivesh.nic.in).

SEAC noted the following:

- The Project Proponent, Thiru.V.Venkatasamy has applied for Environmental Clearance for the Proposed Rough Stone & Gravel quarry Lease over an extent of 1.61.0 Ha at S.F.No. 1126 & 1127/2 in Kunnur Village, Andipatti Taluk, Theni District, Tamil Nadu.
- The project/activity is covered under Category "B2" of Item 1(a) "Mining Projects" of the Schedule to the EIA Notification, 2006.
- The salient features of the project are as follows:

Sl. No	Details of the Proposal	Data Furnished
1	Name of the Owner/Firm	Thiru. V. Venkatasamy, S/o. Velappanaickar, Nagalapuram, Sriengapuram Post.


MEMBER SECRETARY
SEAC -TN

89


CHAIRMAN
SEAC -TN

MINUTES

612th MEETING

**STATE LEVEL ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY-TAMIL NADU**

Date: 17.04.2023 & 18.04.2023

			<p>Mining & Fuel Research / Dhanbad, NIRM, IIT-Madras, NIT-Dept of Mining Engg, Surathkal, and Anna University Chennai-CEG Campus and submit the report.</p> <p>On receipt of the aforesaid details, the proposal will be considered for further deliberations.</p> <p>In the view of the above, SEIAA accepts the decision of SEAC and decided to request Member Secretary to communicate the minutes of 365th SEAC Meeting held on 24.03.2023 to the project proponent</p>
23.	<p>Proposed Rough Stone and Gravel quarry over an extent of 2.29.5 Ha in S.F.No. 271/6, 272/2(P), 272/3 & 272/4(P) of Thoppampalayam Village, Sathyamangalam Taluk, Erode District, Tamil Nadu by Thiru. N. Thangavel - for Environmental Clearance.</p>	9694	<p>The proposal is placed in this 365th SEAC Meeting held on 24.03.2023.</p> <p>During the presentation, the SEAC had observed the following:</p> <ol style="list-style-type: none"> 1. The proposed quarry site is located in an ecologically sensitive area of Bhavani Sagar Reservoir and is located adjacent to the Velamundi RF. 2. The proposed quarry was earlier operated in three spells (i.e., 1996 to 1999, 1999 to 2004, 2009 to 2014) and the existing depth of the quarry is 15 m below ground level. 3. The Quarry operations were stopped due to the requirements of NBWL Clearance from 2014. 4. Due to existence of R.F at 113 m, the quarry was not opened from 2021 even though the final Notification issued on Sathyamangalam Tiger Reserve due to the existence of TN G.O on protection of R.F within 1 km from the quarry sites. 5. The Quarry was operated earlier with the conventional drilling & blasting activities and a scientific study was carried out by the Department


MEMBER SECRETARY


MEMBER


CHAIRMAN
SEIAA-TN

13

of Mining Engineering, Anna University Chennai as per the direction of the District Collector in 2011 to determine the impact of blasting operations in the cluster of mines situated within 10 km distance from the Bhavani Sagar Dam structure & embankment and it was recommended to carry out the blasting operations with the prescribed maximum charge per delay in every round under the direct supervision of statutory competent person appointed under the provisions of MMR 1961.

6. Accordingly, the quarry was in operation involving the blasting operation as the District Collector had granted the permission with stipulating the recommendations of the aforesaid scientific studies as the conditions to be followed scrupulously.
7. However, as per the KML file uploaded by the proponent in online through Parivesh portal, it is ascertained that,
 - i. The quarrying operations are proposed at a distance of 300 m from the catchment area of the Bhavani Sagar Reservoir in the Upstream Side.
 - ii. The existing quarry is located at a distance of 3.8 Km from the Bhavani Sagar Dam structure in the upstream side.
 - iii. The existing quarry is situated at a distance of 5.32 Km approximately from the highly protected Sathyamangalam Tiger Reserve.
 - iv. The starting point of embankment structure of Bhavani Sagar Dam is located at a distance of 879m only from proposed mine lease area.


MEMBER SECRETARY


MEMBER


CHAIRMAN
SEIAA-TN

			<p>Based on the above facts, SEAC after detailed discussion and taking into consideration the safety of Bhavani Sagar Dam Structure and environmental setting of the site (Tiger Reserve) decided not to recommend this project proposal.</p> <p>In the view of the above, SEIAA accepts the decision of SEAC and decided to request Member Secretary, SEIAA-TN to grant rejection letter to proponent as per the 365th SEAC minutes.</p>
24.	<p>Proposed Rough Stone & Gravel quarry Lease over an extent of 1.61.0 Ha at S.F.No. 1126 & 1127/2 in Kunnur Village, Andipatti Taluk, Theni District, Tamil Nadu by Thiru.V.Venkatasamy - For Environmental Clearance</p>	9660	<p>The authority noted that the subject was appraised in the 365th SEAC meeting held on 23.03.2023. SEAC has furnished its recommendations to the authority for granting environmental clearance subject to the conditions stated therein.</p> <p>After detailed discussions, the Authority taking into account the recommendations of SEAC and also the safety aspects and to ensure sustainable, scientific and systematic mining, decided to grant Environmental Clearance for the quantity of 1,05,363m³ of rough stone and 11,732m³ of gravel by restricting the depth of mining upto 32m below ground level as per the mine plan approved by the Department of Geology & Mining. This is also subject to the standard conditions as per Annexure - (I) of SEAC minutes, other normal conditions stipulated by MOEF&CC & all other specific conditions as recommended by SEAC in addition to the following conditions and the conditions in Annexure 'A' of this minutes.</p> <ol style="list-style-type: none"> 1. Keeping in view of MoEF&CC's notification S.O.1533(E) dated.14.09.2006 and S.O. 1807(E) dated 12.04.2022, this Environmental


MEMBER SECRETARY


MEMBER


CHAIRMAN
SEIAA-TN

Regd. Post. Acc. Due

15

From:
N Thangavelu
Project Proponent
Thoppampalayam Village
Satyamangalam Taluk, Erode District

Satyamangalam
November 17, 2023



To,
1. **The Chairman**
State Level Environment Impact
Assessment Authority – Tamil Nadu
3rd Floor, Panagal Maaligai
No. 1, Jeenis Road, Saidapet
Chennai – 600 015

2. **The Member Secretary**
State Level Environment Impact
Assessment Authority – Tamil Nadu
3rd Floor, Panagal Maaligai
No. 1, Jeenis Road, Saidapet
Chennai – 600 015

Respected Sir,

Sub: Reconsideration of minor mineral mining project proposal having an extent of 2.29.5 Ha. to quarry Rough Stone & Gravel in Thoppampalayam Village, Sathyamangalam Taluk, Erode District towards grant of Environment Clearance under the extant EIA Notification 2006 – reg.

**Ref: (1) Online proposal No. SIA/TN/MIN/412132/2022, dated 26.12.2022.
(2) 365th SEAC – Tamilnadu Meeting held on 24.03.2023.
(3) 612th SEIAA – Tamilnadu Meeting held on 17.04.2023 & 18.04.2023.
(4) SEIAA EC Rejection letter vide no. SEIAA-TN/F.No. 9694/2022, dated 25.05.2023.
(5) Our request for reconsideration vide letter dated 09.08.2023.
(6) Our fresh EC application for reconsideration vide Proposal No. SIA/TN/MIN/440129/2023, dated 11.08.2023 (Single Window No. SW/139750/2023) under Category B2. File No. 10317/2023, dated 12.08.2023**

Apropos above and further to our requisition letter for reconsideration dated 09.08.2023 (Ref. Sl. No. 5, above) and fresh EC online application made vide SIA/TN/MIN/ 440129/2023, dated 11.08.2023 (Single Window No. SW/139750/2023) under Category B2 (Ref. Sl. No. 6, above), I (the undersigned) put across the following facts for your kind perusal and re-consideration:

- The above said minor mineral mining project is towards excavation of rough stone and gravel from the patta land (Patta Nos. 202 & 95) having an extent of 2.29.5 Hectares forming part of S.F. No. 271/6, 272/2(P), 272/3 & 272/4(P), Thoppampalayam Village, Sathyamangalam Taluk, Erode District, Tamilnadu.
- The above said project area is owned by the undersigned i.e. the Project Proponent (PP).
- The undersigned i.e. the PP has already operated in the aforesaid quarrying area for a period of thirteen (13) years in the past after obtaining quarrying leases from the Dept. of Geology and Mining (DGM), Govt. of Tamil Nadu under the applicable provisions of The Tamil Nadu Minor Mineral Concession Rules, 1959 ("TNMMCR, 1959"). The details of past workings are as under:

Sl. No.	Period of Grant	Mineral Excavated
(1)	1996 - 1999 (02.11.1996 to 01.11.1999) – 3 years	Rough Stone & Gravel
(2)	2004 - 2009 (21.06.2004 to 20.06.2009) – 5 years	Rough Stone & Gravel
(3)	2009 - 2014 (13.07.2009 to 12.07.2014) – 5 years	Rough Stone & Gravel

d) Post 2014, due to the quarrying lease area i.e. mining project falling within 10.00 Km. from the boundary of "Sathyamangalam Tiger Reserve" i.e. the project area is located about 6.580 Kms. and owing to the then guidelines issued by the MoEF&CC, there was a need to obtain prior approval from the National Board of Wildlife (NBWL) and pursuing this was taking time.

e) Subsequently the MoEF&CC, issued a draft ESZ Notification surrounding the said "Sathyamangalam Tiger Reserve" vide S.O. 1910 (E), dated the 31st May, 2019. Later the MoEF&CC finalised the draft notification and issued a final notification by restricting the ESZ boundary from 0 – 1 Km. surrounding the said "Sathyamangalam Tiger Reserve" vide Notification S.O. 788(E), dated 19th February, 2021.

f) By virtue of issuance of final ESZ notification the above said mining project falls completely outside the said ESZ boundary and is now eligible to apply and obtain EC (sans prior approval from NBWL) from the SEIAA – Tamilnadu by virtue of **OMs F. No. 22-43/2018-IA.III, dated 8th August, 2019 & F. No. 6-60/2020WL Part (I), dated 16 July 2020 superseded by OM FC-11/119/2020-FC, dated 17-05-2022.**

g) The distance between the project area and the ESZ boundary is as herebelow:

Approx. aerial distance of project area from the "Sathyamangalam Tiger Reserve"	6.580 Kms
Approx. aerial distance of project area from the ESZ boundary surrounding the "Sathyamangalam Tiger Reserve"	5.580 Kms.

The said distances have been verified & confirmed by the Forest Dept., Govt. of Tamilnadu vide letter dated 31.01.2023 (Please refer Annexure – III).

h) Subsequently, the undersigned i.e. the PP made an application to the Dept. of Geology and Mining (DGM) and obtained the following approvals from the Assistant Director, Department of Geology and Mining, Erode District, Tamil Nadu:

Precise area communication	Approval letter vide Rc. No. 015/Mines/2019, dated 23.07.2021.
Period of quarrying lease	5 years (w.e.f. the date of signing lease deed)
Mining Plan approval	Approval letter Rc. No. 015/Mines/2019, dated 12.08.2021.

Please refer Annexures – I & II that substantiates the above information.

i) Subsequent to approval of "Mining Plan" the PP applied to your good-selves (SEIAA-Tamil Nadu) online on the Parivesh web portal towards obtaining EC for proposed production of Rough Stone (226,408 cum or 37,735 Lorry loads) & Gravel (15,288 cum or 2,548 Lorry loads) vide proposal No. SIA/TN/MIN/412132/2022, dated 26.12.2022 under Category B2.

j) The SEAC considered the proposal in its 365th meeting held on 24.03.2023 and did not recommend the proposal owing to the following reasons:

1) Located in ecologically sensitive area of Bhavani Sagar Reservoir.

- 2) Project located adjacent to Velamundi RF at 113 meters.
 - 3) The quarry operated earlier in 3 spells from 1996-1999, 1999-2004 & 2010-2014 and the existing dept of the quarry is 15.00 Meters bgl.
 - 4) Quarry operations stopped due to want of NBWL clearance in 2014.
 - 5) Quarrying operations proposed are within 300 meters from the catchment area of Bhavani Sagar Dam in the upstream side.
 - 6) Project is located at a distance of 3.80 Kms. from the Bhavani Sagar Dam structure in the upstream side.
 - 7) Quarry situated at 5.32 Kms. from the Satyamangalam Tiger Reserve.
 - 8) Starting point of embankment structures of Bhavani Sagar Dam is at a distance of 879 meters from the quarry.
- k) The SEIAA basing on the above observations of SEAC did not consider the above said project proposal and issued the above referred rejection order dated 25.05.2023 (Ref. Sl. No. 4, above).
- l) In the humble view of the undersigned i.e. the PP, SEAC did not consider the proposal on the existing statutory norms and decided the proposal sans any good and valid reasons and were largely driven emotionally while not accepting the proposal on merits. Also the same were not to put to notice to the PP or to his consultant.

m) Point wise clarifications & explanations on observations of SEAC is as below:

Observation by the SEAC	Submission by the PP	Distance as per statute / Remarks by PP
1. Located in ecologically sensitive area of Bhavani Sagar Reservoir.	Not located within the ecologically sensitive area. As a matter of fact Bhavani Sagar Dam is located at a distance of 3.800 Kms from project area.	Prescribed safety distance is 50.00 Meters.
2. Project located adjacent to Velamundi RF at 113 meters.	Yes. It is not an hindrance, since the statutory norms allow mining projects beyond a distance of 60 Meters.	Prescribed safety distance is 60.00 Meters.
3. The quarry operated earlier in 3 spells from 1996-1999, 1999-2004 & 2010-2014 and the existing dept of the quarry is 15.00 Meters bgl.	Yes. The PP operated the quarry for 13 years in the past with an un-blemish record and not damaging the surroundings and the environment. Asst. Director of DGM also recommended the case for next 5 year period stands testimony to this fact.	No bar in the statute towards grant of quarrying lease for next 5 year period after obtaining EC.
4. Quarry operations stopped due to want of NBWL clearance in 2014.	Quarrying operations stopped due to expiry of third lease period (2009 – 2014). Subsequent delay is explained above.	Now there is no need to obtain prior approval from NBWL since the project is outside the notified ESZ boundary.
5. Quarrying operations proposed are within 300	As rightly pointed out, the project area is located on the upstream side and the gap of 300 meters is more than	Prescribed safety distance is 50.00 Meters.

<p>meters from the catchment area of Bhavani Sagar Dam in the upstream side.</p>	<p>adequate. As a matter of fact the current water level point in the reservoir is about 650 meters from the quarrying area. Please refer to the drawing enclosed as Annexure – V to this letter.</p> <p>The quarry was already in operation for 13 years and has done no harm to the catchment area.</p> <p>The PP has categorically undertaken to carry out only jackhammer drilling (32 mm holes) having a depth of 1.50 – 1.80 meters and controlled blasting shall be done with all safety measures under the supervision of competent persons.</p> <p>The PP has also categorically agreed not to have secondary blasting, but shall use rock breakers after primary blasting.</p>	<p>No deep hole drilling & blasting shall be undertaken.</p> <p>Studies by reputed institutions viz., NIRM, CIMFR, etc. have established that it is safe to blast with jackhammer drilling & blasting within a distance of 20.00 Meters from dam structures and in many hydroelectric projects the same has been accepted and permitted by the authorities.</p>
<p>6. Project is located at a distance of 3.80 Kms. from the Bhavani Sagar Dam structure in the upstream side.</p>	<p>Not a cause of worry. Nothing has caused issues for the previous 13 year period when quarry was operational by the same PP and the same norms and precautionary measures shall be adhered to even now.</p>	<p>Prescribed safety distance is 50.00 Meters.</p>
<p>7. Quarry situated at 5.32 Kms. from the Satyamangalam Tiger Reserve.</p>	<p>Yes. The quarry is situated at about a distance of 6.580 Kms. from the "Sathyamangalam Tiger Reserve". It is also to be noted that MoEF&CC has also notified ESZ boundary around the said Tiger Reserve having a perimeter of 0 – 1.00 Kms. Therefore the quarrying area is located at about 5.580 Kms. from the ESZ boundary. Please refer Annexure – III.</p>	<p>There is no need to take prior approval from NBWL as per OMs F. No. 22-43/2018-IA.III, dated 8th August, 2019 & F. No. 6-60/2020WL Part (I), dated 16 July 2020 superseded by OM FC-11/119/2020-FC, dated 17-05-2022.</p> <p>The PP is entitled to apply for EC.</p>
<p>8. Starting point of embankment structures of Bhavani Sagar Dam is at a distance of 879 meters from the quarry.</p>	<p>Not a cause of worry. Nothing has caused issues for the previous 13 year period when quarry was operational by the same PP and the same norms and precautionary measures shall be adhered to even now.</p>	<p>Prescribed safety distance is 50.00 Meters.</p>

- n) At the time of making our presentation during the 365th SEAC Meeting, we were not to put to notice on the above observations, else the clarifications could have been given at that point in time itself by the PP or his consultant.
- o) It is also apposite to mention that the District Collector, Erode during 2011 had entrusted the work to Anna University to carry out Scientific study on influence of blasting in blue metal quarries of Thoppampalayam Village and its surroundings on Bhavanisagar Dam & nearby farm lands and the report came up with positive conclusions in favour of quarry operators and has recommended to use jackhammer drilling and controlled blasting techniques and if done so, then there shall be no harm to the dam and its surroundings. Please refer Annexure – IV for extract of the Anna University report having the conclusions.
- p) The PP takes this opportunity to apprise your good-selves that during 2009 – 2014 the above said quarry was in operation and no remarks were made in the study report by Anna University against quarrying operations of the PP.

Final Submissions by the PP

- q) The PP has operated the above said quarrying area for 13 years in the past with an unblemished record. Even going forward the PP shall adhere to the norms as prescribed by your good-selves and as made applicable under the extant EIA Notification 2006.
- r) The PP shall categorically carry out only jack hammer drilling having a hole diameter of about 32 mm with a hole depth of 1.50 – 1.80 meters only and in all circumstances shall strictly carry out controlled blasting only.
- s) Blasting shall be strictly carried out under the supervision of competent persons as approved by the DGMS (Directorate General of Mines Safety).
- t) The PP shall also not carry out any sort of secondary blasting, but shall use hydraulic rock breakers to reduce the size of boulders that may emanate, if any, after controlled primary blasting.
- u) The PP is open to re-appraisal by the SEAC during the currency of 5 year EC period that may be granted by your good-selves.**
- v) The PP shall also voluntarily undertake scientific studies as got done by the District Collector, Erode during 2011 by entrusting the job to reputed institutions viz., Anna University, NITK Surathkal, IIT Madras, NIRM, etc. and shall submit a report during the currency of 5 year EC period that may be granted by your good-selves.**
- w) The PP, if desired by your good-selves is open to commit additional monetary payments towards further upkeep of surrounding environment as specified by your good-selves and shall make a bank guarantee available in favour of an agency (viz., TNPCB or DGM) as nominated by your good-selves.
- x) The PP has also established and is operating a crushing unit in the name and style “M/s. STR BLUE METALS” forming part of S.F. No. 182/2 & 182/3, Thoppampalayam Village, Satyamangalam Taluk, Erode District, at an aerial distance of about 1.853 Kms. from the

20
quarrying area since January 2007 and the quarrying area was the source of raw material supply.

- y) The PP categorically gives an undertaking that he shall carry out quarrying operations alone in the project area and all the quarry produce (i.e. boulders, etc.) shall be directly sold to third parties or transported to the aforesaid Crushing Unit owned by the PP for further processing. No crushing & screening activities shall be undertaken in the quarrying area.
- z) The quarrying operations shall be carried out strictly as per the duly approved quarrying plan and the quarrying activities shall be carried out between dawn to dusk only (9 am to 5pm).
- aa) Requisite fencing shall be erected surrounding the quarrying or project area.
- bb) The PP shall compulsorily and without exception adhere to any other conditions put forth by your good-selves in connection with grant of Environment Clearance.

HUMBLE PRAYER

In the light of the above said facts, clarifications and submissions, the undersigned exhorts your good-selves to kindly reconsider the above said quarrying lease area i.e. project towards grant of Environment Clearance as per applicable norms and if your good-selves opine to add additional conditions, let it be so. If not re-considered the PP shall be subject to severe losses.

For this kind act of yours the undersigned shall forever be grateful.

Thanking you,

Yours faithfully,



N Thangavelu
Project Proponent

Enclosures:

- (1) Annexure – I: Precise area approval letter vide Rc. No. 015/Mines/2019, Dated 23.07.2021 from the Asst. Director, DGM along with area sketch.
- (2) Annexure – II: Approval of Mining Plan by the Asst. Director, DGM vide Rc. No. 015/Mines/2019, Dated: 12.08.2021.
- (3) Annexure – III: Letter dated 31.01.2023 by the Forest Dept., Govt. of Tamilnadu indicating the distance of forest boundary, Sathyamangalam Tiger Reserve, Eco Sensitive Zone, etc.
- (4) Annexure – IV: Extract of Anna University Scientific Study report.
- (5) Annexure – V: Field map showing the distance between the quarrying area and its surroundings (Forest boundary, Catchment area, Bhavanisagar Dam, Tiger Reserve, ESZ, PP's Crushing Unit, Nearest habitations, Roads, etc.).



**THIRU.DEEPAK S. BILGI, I.F.S.,
MEMBER SECRETARY**

**STATE LEVEL ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY – TAMIL
NADU**

3rd Floor, Panagal Maaligai,
No.1, Jeenis Road, Saidapet,
Chennai-15.

Phone No. 044-24359973

Fax No. 044-24359975

Letter No. SEIAA-TN/F.No.10317/2023 dated:21.11.2023

To

Thiru.N.Thangavel,
S/o. Nagappagounder,
No.20, Munnal padai veerar colony,
Bhavanisagar, Sathyamangalam,
Erode District- 638 451.

Sir,

Sub: SEIAA-TN – Environmental Clearance - Rough Stone and Gravel quarry over an extent of 2.29.5 Ha in S.F.No. 271/6, 272/2(P), 272/3 & 272/4(P) of Thoppampalayam Village, Sathyamangalam Taluk, Erode District, Tamil Nadu by Thiru.N.Thangavel – Proposal seeking EC was rejected by SEIAA – PP request for Reconsideration – Regarding.

- Ref:
1. Online Proposal No. SIA/TN/MIN/412132/2022, dated: 26.12.2022.
 2. Your application submitted for Environmental Clearance dated: 28.12.2022.
 3. Minutes of 365th Meeting of SEAC held on 24.03.2023.
 4. Minutes of 612nd SEIAA meeting held on 17.04.2023 & 18.04.2023.
 5. Online Proposal No. SIA/TN/MIN/440129/2023, dated: 11.08.2023.
 6. Proponent resubmitted application for EC dated 12.08.2023.

I invite kind attention to the reference cited above where in you have submitted application for the Proposed Rough Stone and Gravel quarry over an extent of 2.29.5 Ha in S.F.No. 271/6, 272/2(P), 272/3 & 272/4(P) of Thoppampalayam Village, Sathyamangalam Taluk, Erode District, Tamil Nadu.

In this connection, your proposal was placed in 365th Meeting of SEAC held on 24.03.2023.

During the presentation, the SEAC had observed the following:

1. The proposed quarry site is located in an ecologically sensitive area of Bhavani Sagar Reservoir and is located adjacent to the Velamundi RF.
2. The proposed quarry was earlier operated in three spells (i.e., 1996 to 1999, 1999 to 2004, 2009 to 2014) and the existing depth of the quarry is 15 m below ground level.
3. The Quarry operations were stopped due to the requirements of NBWL Clearance from 2014.
4. Due to existence of R.F at 113 m, the quarry was not opened from 2021 even though the final Notification issued on Sathyamangalam Tiger Reserve due to the existence of TN G.O on protection of R.F within 1 km from the quarry sites.
5. The Quarry was operated earlier with the conventional drilling & blasting activities and a scientific study was carried out by the Department of Mining Engineering, Anna University Chennai as per the direction of the District Collector in 2011 to determine the impact of blasting operations in the cluster of mines situated within 10 km distance from the Bhavani Sagar Dam structure & embankment and it was recommended to carry out the blasting operations with the prescribed maximum charge per delay in every round under the direct supervision of statutory competent person appointed under the provisions of MMR 1961.
6. Accordingly, the quarry was in operation involving the blasting operation as the District Collector had granted the permission with stipulating the recommendations of the aforesaid scientific studies as the conditions to be followed scrupulously.
7. However, as per the KML file uploaded by the proponent in online through Parivesh portal, it is ascertained that,
 - i. The quarrying operations are proposed at a distance of 300 m from the catchment area of the Bhavani Sagar Reservoir in the Upstream Side.
 - ii. The existing quarry is located at a distance of 3.8 Km from the Bhavani Sagar Dam structure in the upstream side.
 - iii. The existing quarry is situated at a distance of 5.32 Km approximately from the highly protected Sathyamangalam Tiger Reserve.
 - iv. The starting point of embankment structure of Bhavani Sagar Dam is located at a distance of 879m only from proposed mine lease area.

Based on the above facts, **SEAC after detailed discussion and taking into consideration the safety of Bhavani Sagar Dam Structure and environmental setting of the site (Tiger Reserve) decided not to recommend this project proposal.**

Subsequently, the Authority in its 612nd SEIAA meeting held on 17.04.2023 & 18.04.2023, after detailed deliberations, Authority decided to grant rejection letter to proponent as per the SEAC minutes. Further, Authority decided to close and record this proposal.

Meanwhile, you have resubmitted the EC application for grant of Environmental clearance vide ref 5th & 6th cited before SEIAA-TN.

In view of the above, hereby it is informed that the rejected proposals will not be re-considered for appraisal at SEIAA/ Tamil Nadu.

The receipt of the letter may be acknowledged.


MEMBER SECRETARY

SEIAA-TN


21/11/23



24

THIRU.DEEPAK S. BILGI, I.F.S
MEMBER SECRETARY

STATE LEVEL ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY-TAMILNADU

3rd Floor, Panagal Maaligai,
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Phone No.044-24359973
Fax No. 044-24359975

Letter No. SEIAA-TN/F.No.9694/2022 dated:25.05.2023.

To

Thiru. N.Thangavel
S/o Nagappagounder
No 20 Munnal Padai Veerar Colony
Bhavanisagar,
Sathyamangalam
Erode District

Sir,

Sub: SEIAA-TN - Proposal seeking Environmental Clearance for proposed Rough Stone and Gravel quarry over an extent of 2.29.5 Ha in S.F.No. 271/6, 272/2(P), 272/3 & 272/4(P) of Thoppampalayam Village, Sathyamangalam Taluk, Erode District, Tamil Nadu by Thiru. N. Thangavel - under 1(a) Mining projects of the schedule of the EIA Notification, 2006 - not recommended - Application Closed and Recorded - Regarding

Ref: 1. Online Proposal No. SIA/TN/MIN/ 412132/2022, dated: 26.12.2022.
2. Minutes of the 365th SEAC meeting held on 24.03.2023.
3. Minutes of the 612th SEIAA meeting held on 17.04.2023 & 18.04.2023.

I invite your kind attention to the reference cited above, wherein the application received from Thiru. N. Thangavel for Environmental Clearance for proposed Rough Stone and Gravel quarry over an extent of 2.29.5 Ha in S.F.No. 271/6, 272/2(P), 272/3 & 272/4(P) of Thoppampalayam Village, Sathyamangalam Taluk, Erode District, Tamil Nadu.

The proposal was placed for appraisal in the 365th meeting of SEAC held on 24.03.2023.

During the presentation, the SEAC had observed the following:

1. The proposed quarry site is located in an ecologically sensitive area of Bhavani Sagar Reservoir and is located adjacent to the Velamundi RF.
2. The proposed quarry was earlier operated in three spells (i.e., 1996 to 1999, 1999 to 2004, 2009 to 2014) and the existing depth of the quarry is 15 m below ground level.
3. The Quarry operations were stopped due to the requirements of NBWL Clearance from 2014.
4. Due to existence of R.F at 113 m, the quarry was not opened from 2021 even though the final Notification issued on Sathyamangalam Tiger Reserve due to the existence of TN G.O on protection of R.F within 1 km from the quarry sites.
5. The Quarry was operated earlier with the conventional drilling & blasting activities and a scientific study was carried out by the Department of Mining Engineering, Anna University Chennai as per the direction of the District Collector in 2011 to determine the impact of blasting operations in the cluster of mines situated within 10 km distance from the Bhavani Sagar Dam structure & embankment and it was recommended to carry out the blasting operations with the prescribed maximum charge per delay in every round under the direct supervision of statutory competent person appointed under the provisions of MMR 1961.
6. Accordingly, the quarry was in operation involving the blasting operation as the District Collector had granted the permission with stipulating the recommendations of the aforesaid scientific studies as the conditions to be followed scrupulously.
7. However, as per the KML file uploaded by the proponent in online through Parivesh portal, it is ascertained that,
 - i. The quarrying operations are proposed at a distance of 300 m from the catchment area of the Bhavani Sagar Reservoir in the Upstream Side.
 - ii. The existing quarry is located at a distance of 3.8 Km from the Bhavani Sagar Dam structure in the upstream side.
 - iii. The existing quarry is situated at a distance of 5.32 Km approximately from the highly protected Sathyamangalam Tiger Reserve.
 - iv. The starting point of embankment structure of Bhavani Sagar Dam is located at a distance of 879m only from proposed mine lease area.

Based on the above facts, SEAC after detailed discussion and taking into consideration the safety of Bhavani Sagar Dam Structure and environmental setting of the site (Tiger Reserve) decided not to recommend this project proposal.

Subsequently, the proposal was placed in the 612th Authority meeting held on 17.04.2023 & 18.04.2023. In the view of the above, SEIAA accepts the decision of SEAC and decided to request Member Secretary, SEIAA-TN to grant rejection letter to proponent as per the 365th SEAC minutes.

Hence, the above-mentioned file is closed and recorded accordingly.


MEMBER SECRETARY
SEIAA-TN

