

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

Application No.50 of 2022

Mr.S.Kalimuthu,
S/o.Saminathan,
3/150, Karachery,
Kinathukadavu Taluk,
Chettipalaayam,
Coimbatore - 641 201.

...

Applicant

- Vs. -

1. The District Collector,
Collectorate Coimbatore,
Coimbatore.

...

Respondent(s)

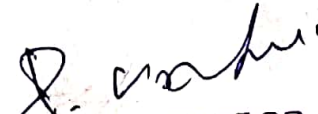
2. Revenue Divisional Officer,
Office of Revenue Divisional Officer,
Coimbatore.

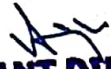
3. Tamil Nadu Pollution Control Board,
Rep by its Chairman,
No.76, Mount Salai, Guindy,
Chennai - 600 032.

4. Member Secretary,
State Environment Impact Assessment
Authority,
3rd Floor, Panagal Building,
No.1.Jennis Road, Saidapet,
Chennai - 600 015.

5. District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Plot No. E-55A, SIDCO Industrial Estate,
Pollachi Main Road, Kuruchi,
Coimbatore.

6. Assistant Director,
Department of Geology and Mining,
Collectorate Coimbatore,
Coimbatore.


REVENUE INSPECTOR (MINES)
COIMBATORE


ASSISTANT DIRECTOR
DEPARTMENT OF GEOLOGY & MINING
COIMBATORE DISTRICT.

7. The Executive Officer,
Arasampalayam Village Panchayat,
Karachery Village,
Kinathukanavu Taluk,
Chennai.

8. M.Balakrishnan,
S.F.No.298/2A,
Merku Thottam,
Karachery Village,
Arasampalayam,
Kinathukadavu Taluk,
Coimbatore.

... Respondent (s)

INTREIM REPORT FILED BY THE 6th RESPONDENT

I, Sasikumar, Son of Venkatachalam, Religion Hindu, aged 43 years, working as the Assistant Director, Department of Geology & Mining at the office of the Assistant Director, Department of Geology and Mining, Collectorate, Coimbatore District do hereby solemnly affirm and sincerely states as follows:

2) I am the 6th **respondent** herein and I am filing this report on behalf of 1st respondent and I am well acquainted with the facts of this case from the records.

3) The applicant has filed the above application with a prayer to

i) To pass an order of permanent injunction, restraining the 8th Respondent from operating the illegal rough stone quarry in S.F.No.298/2A, 300/2, situated at Karachery village, Arasampalayam panchayat, Kinathukadavu taluk, Coimbatore District.

ii) To pass an order of permanent injunction, restraining the 8th Respondent from operating the unauthorized stone and M-Sand crusher in S.F.No.298/2A, 300/2, situated at Karachery village, Arasampalayam panchayat, Kinathukadavu taluk, Coimbatore District.

REVENUE INSPECTOR (MINES)
COIMBATORE

ASSISTANT DIRECTOR
DEPARTMENT OF GEOLOGY & MINING
COIMBATORE DISTRICT.

iii) To pass an order directing the Respondent authorities to take immediate measures to assess the damages that has been caused, on account of the illegal quarrying and operating of unauthorized crusher and M-Sand unit being carried out by the 8th respondent, and to pass necessary orders under Sec.5 of the Environment (Protection) Act, 1986 to recover the same from the concerned officials responsible and prosecute them in accordance with law.

iv) To direct the Respondent authorities to initiate criminal prosecution against the concerned officers responsible for violations of the provisions of the environmental legislation.


v) To direct the Respondent authorities to remediate the impugned area.

4) In this regard, the subject area was inspected jointly by the Assistant Geologist (Mines), Special Revenue Divisional Officer (Mines), Zonal Deputy Tahsildar, Revenue Inspector (Kinathukadavu), Village Administrative Officer (Arasampalayam) and Surveyor on 11.08.2022 in order to assess the current status of the field.

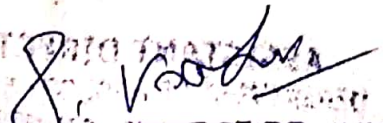
5) In this regard, the following facts are submitted before the Hon'ble National Green Tribunal:

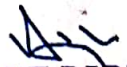
- a) As per the village accounts of Karachery Village, the subject area in S.F.No. 298/2A and 300/2 stands registered in the name of the 8th respondent (Thiru. M.Balakrishnan) vide patta number 1192 and through a partition deed No.1218/2014 registered at the SRO, Kinathukadavu.
- b) It is also pertinent to mention that there are no approval layouts located within a distance of 300m from the subject area except the agricultural farm house.


REVENUE INSPECTOR (MINES)
COIMBATORE


ASSISTANT DIRECTOR
DEPARTMENT OF GEOLOGY & MINING
COIMBATORE DISTRICT,

- c) The 8th respondent has obtained No Objection Certificate from the Tahsildar, Kinathukadavu vide Rc.No.1322/2018/A1 dated 14.05.2018 for establishing the crusher unit in the S.F.No.298/2A with a condition to obtain necessary permissions from the Tamil Nadu Pollution Control Board. In this regard, he has also obtained No Objection Certificate from the Block Development Officer, Kinathukadavu vide Rc.No.1315/2017 dated 27.04.2018.
- d) Further, the 8th respondent has also obtained Consent to Establish from the Tamil Nadu Pollution Control Board, vide Proceeding No.F.1967/CBS/OS/BEE/TNPCB/CBS/A/2018 dated 06.09.2018 valid till 31.03.2023.
- e) It is further observed that even after obtaining the above certificates, the 8th respondent have not established the crusher unit till 2020. It is submitted that currently the crusher unit is being established in the S.F.No.298/2A while the S.F.No.300/2 is kept vacate.
- f) It is noticed that the crusher unit is being established as per the guidelines of the Tamil Nadu Pollution Control Board, and the area is dug for a depth of 10 feet in order to avoid air pollution.
- g) It is further observed that the gravel thus dug was used to form bund structure along the boundary of the subject area. Furthermore, the roughstone dug was unused and found to be stocked within the same field. Apart from this, no quarrying activities has been noticed in the subject area.
- h) In this regard, the Tahsildar, Kinathukadavu was requested to conduct a detailed survey and to submit a report within a week time detailing whether any mineral was transported from the subject area.
- i) Further, the installation of the crusher unit is still under process and only after complete establishment of the same, the Consent to Operate


REVENUE INSPECTOR (MINES)
COIMBATORE


ASSISTANT DIRECTOR
DEPARTMENT OF GEOLOGY & MINING
COIMBATORE DISTRICT.

shall be obtained from the Tamil Nadu Pollution Control Board and the crusher unit shall be brought to operation.

- j) Therefore, It is prayed that the Hon'ble National Green Tribunal, Southern zone, Chennai may please grant a time period of 10 days for submitting the detailed survey report.

AK
ASSISTANT DIRECTOR
DEPARTMENT OF GEOLOGY & MINING
COIMBATORE DISTRICT,

Before me
P. V. S. S.
REVENUE INSPECTOR (MINES)
COIMBATORE