

**BEFORE THE NATIONAL GREEN TRIBUNAL**  
**SOUTHERN ZONE, CHENNAI**  
**Appeal No.57 of 2022 (SZ)**

IN THE MATTER OF:

Thiru.T.Prabakaran,  
Door No.1/91A, Kaattumunnur Post,  
Pugalur,  
Karur District - 639 111  
Email.id-advocatebala89@gmial.com  
Ph.No-9047981245

... Appellant

- Vs. -

- 1) Union of India  
Rep. by the Chief Secretary of Government,  
Ministry of Environment, Forests & Climate  
Change,  
Indira Paryavaran Bhavan, Jorbagh Road,  
New Delhi - 110 003.  
Email-secv-moef@nic.in  
Ph.No-011-24695132,011-24695136
- 2) The State Environment Impact Assessment  
Authority (SEIAA),  
Rep. by its Member Secretary,  
3<sup>rd</sup> floor, No.1, Panagal Maligai Building,  
Jennis Road, Saidapet,  
Chennai 600 015.  
Email-seiaamstn@gmail.com  
Ph-044-24336421
- 3) The Government of Tamil Nadu  
Rep. by its Chief Secretary,  
Geology and Mining Department,  
Fort St. George, Secretariat,  
Chennai - 600 009.  
Email-unknown  
Ph-unknown
- 4) The Director  
Directorate of Geology and Mining,  
Industrial Estate,  
Guindy, Chennai - 600 032  
Email-geomine@tn.nic.in  
Ph-22501873 and 22501874

- 5) The Assistant Director,  
Department of Geology and Mining,  
Collector's Office,  
Karur District - 639007  
Email- [mine.tnkar@gmail.com](mailto:mine.tnkar@gmail.com)  
Ph-04324-255113.
- 6) The District Collector,  
Karur District,  
Karur 639 007  
[Email-cllrkar@nic.in](mailto:Email-cllrkar@nic.in)  
Ph-04324-257555
- 7) Tamil Nadu Pollution Control Board,  
Rep.by its Director of district environment  
officers,  
Ramkrishmapuram, Karur,  
Tamil Nadu 639 001  
Email-unknown  
Ph-unknown
- 8) The Tashildar,  
Tashildar Office, Pugalur,  
Karur District - 639113  
Email -[talukpugtnkar@nic.in](mailto:talukpugtnkar@nic.in)  
Ph-04324-270370
- 9) Sri Venkatramana Swamy Blue Metals  
Rep. by its Managing Partner,  
No.128, Old By pass Road,  
Pugalur,  
Karur District 639 001.  
Email-unknown  
Ph-unknown
- ... Respondent(s)

**ADDITIONAL STATUS REPORT OF THE 5<sup>th</sup> RESPONDENT.**

I, Dr.P.Jayapal, S/o.Ponnusamy Hindu, aged about 51 Years ,  
serving as Deputy Director, Department of Geology & Mining,  
Collectorate, Karur do hereby solemnly affirm and sincerely states  
that I am the 5<sup>th</sup> respondent to this case and I am well acquainted

with the facts of the case with reference to the records available in my office on 30.11.2022, I submitted a status report to the Hon'ble National Green Tribunal (SZ), Chennai regarding this case, on 30.11.2022, the Hon'ble National Green Tribunal (SZ) pronounced orders, requiring clarifications on the functions of the 9<sup>th</sup> respondents unit as per prescribed rules. I respectfully submit the following for the consideration of the Hon'ble National Green Tribunal (SZ), Chennai.

2) I respectfully submit that, the quarry lease granted to 9<sup>th</sup> respondent vide the proceedings of the 5<sup>th</sup> respondent in Rc.No.535/Mines/2019 dated:26.08.2022, with the following specific and general conditions under the provisions of rule 36(1) and 36(1-A) of Tamilnadu Minor Mineral Concession Rules 1959 and regulation III of Metalliferous Mines Regulations 1961.

**Specific Conditions:**

i) A clear safety distance of 50(fifty) meters have to be provided for the channel (vaaikkal) running south of the lease area.

ii) A clear safety distance of 10(Ten) meters have to be provided for the cart-track passing in North-South direction on the western side of the lease area.

**General Conditions:**

i) The boundary barrier zone of 7.5meters on all the four sides of the lease area have to be maintained without any mining/quarrying activities.

ii) Appropriate safety methods have to be adopted for blasting, protecting permanent structures, public safety and for quarrying stones.

iii) As per the approved mining plan, proper benches are to be formed and maintained with reference to Metalliferous Mines Regulations 1961.

iv) The restrictions, conditions and impositions of the environmental clearance issued by SEIAA-TN/F.No.7702/1(a)/Ec.No.5175/2020 dated 29.07.2022 are to be scrupulously adhered.

3) I further respectfully submit that the District Environmental Engineer, Tamilnadu Pollution Control Board, vide Proceedings No:F-1638KAR/RS/DEE/TNPCB/KAR/W/2022, dated: 23.09.2022 granted Consent to Operate under Section 25 of the Water(Prevention and Control of Pollution) Act 1974 and Proceedings No:F-1638KAR/RS/DEE/TNPCB/KAR/A/2022, dated: 23.09.2022 UNDER Section 21 of the Air (Prevention and Control of Pollution)Act 1981 for the conductance of quarrying operations of the 9<sup>th</sup> respondent.

4) I respectfully submit that, the lease granted area is 30 and 15 meters away from the channel (vaaikkal) in south and eastern side respectively. Accordingly a safety distance of 50 meter has been provided and also 10 meter safety distance has been provided to the cart-track passing North-south direction on the western side of the lease granted area as per condition stipulated in the lease granted order.

5) I respectfully submit that there are no inhabited site or approved layouts are present within a radial distance of 300 meters from the subject quarry lease area granted to the 9<sup>th</sup> respondent, and satisfies the rule 36(1-A) of the Tamilnadu Minor Mineral Concession Rules 1959. Further, the Venkatramanaswamy temple is constructed on the peak portion of a hillock, the distance between the foot hills and the lease area is 210 meters, the distance of the hillock is having 130 meters distance. Hence, altogether the overall distance between the said temple and the lease area is 340 meters. Further, the distance between the lease area and malaiyampalayam village is 350 meters.

6)I respectfully submit that the details about the existing, proposed and abandoned quarries situated within a radial distance to the subject quarry in patta S.F.No:195/1(Part) and 198/1(Part) admeasuring 4.90.0 hectares in Thennilai village, Pugalur taluk of Karur district were provided to the State Level Environment Impact

Assessment Authority vide letter in Rc.No.535/Mines/2019 dated:20.05.2020. It had been appropriately observed by SEIAA in S.No.3 of page 5/29 to 8/29 of the environmental clearance granted in Lr.No.SEIAA-TN/F.No7702/1(a)/EC.No:5175/2020,dated:09.07.2022.

7) I respectfully submit that no suppression of facts on any aspects regarding the grant of a quarry lease to the 9<sup>th</sup> respondent had been carried out by the 5<sup>th</sup> respondent. The alleged complaint made by the appellant regarding a quarry lease expired quarry in patta S.F.Nos.191/3(part) and 192 measuring an extent of 4.90.0 hectares was active with quarry lease period, while furnishing the details of existing, proposed and abandoned quarries present within a radial distance of 500 meters to the project proponent vide letter No.535/Mines/2019 dated:20.05.2020. The said quarry is only a non-working, lease period expired quarry and not an abandoned one as per the definitions in rule 3(1)(a) of Mineral Conservation and Development Rules 2017.

Therefore, in view of the above, I respectfully submit that the 5<sup>th</sup> respondent had properly adhered the provisions of the governing Act and Rules in granting a quarry lease to the 9<sup>th</sup> respondent. No suppression of facts, were involved in granting mineral concession's implementations.

Hence, I humbly submit that the Hon'ble National Green Tribunal (South Zone) may be pleased to accept this additional status

report along with the status report filed on 30.11.2022 for appropriate action and thus render Justice.

Signed :  16/12/22

Date : 16/12/2022

### VERIFICATION

I, Dr.P.Jayapal, S/o.Ponnusamy, Deputy Director, Department of Geology and Mining, Collectorate, Karur, do hereby verified the contents of this Status Report and they are true to my personal knowledge, based on the Records, I have not suppressed any facts.

Signature :  16/12/22

Office Stamp: DEPUTY DIRECTOR,  
GEOLOGY AND MINING,  
KARUR.

