

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
(SOUTHERN ZONE BENCH, CHENNAI)
IN
ORIGINAL APPLICATION NO. 75 OF 2021 (SZ)**

**REPORT FILED BY THE 4TH RESPONDENT / DISTRICT COLLECTOR,
KANNUR**

Index

S.No	Particulars	Page No.
1	REPORT FILED BY THE 4TH RESPONDENT / DISTRICT COLLECTOR, KANNUR	1-4

Dated at Chennai on this the 11th day of January 2022.

M/s. E.K.KUMARESAN

Standing Counsel for State Government of Kerala - NGT(SZ) Chennai Bench

(1)

BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE CHENNAI

ORIGINAL APPLICATION/APPEAL NO. OA 75/2021 (SZ)

Anoop

26711C, Mambatta, Komeri

Kozhikode, kerala 673007

: Appellants

Vs.

State of Kerala , through the Principal

Secretary & Others

: Respondents

REPORT FILED BY THE 4th RESPONDENT AS DIRECTED BY
THIS HONOURABLE NATIONAL GREEN TRIBUNAL ON
01/01/2022

I, Chandrasekar.S aged 38 years S/o. Selvakumar, do here by
Solemnly affirm and state as follows:

1. I am District Collector ,Kannur and I am Conversant with the
facts of the case.

216

DISTRICT COLLECTOR
KANNUR

The Appellant Sri. Anoop residing at Mambatta, Kommeri, Kozhikode District has filed an application before the Honourable National Green Tribunal, Southern Zone, Chennai raising substantial questions related to environment issues arising out of excessive mining and non-compliance of the Environmental Clearance No. 223/KNR/2017/DEIAA dated 23.02.2018 granted to M/S. RDS Project Limited. for quarrying of Granite over an area of 0.9933 Hectares at Survey No. 74/ID in Kuttoor Village, Taliparamba Taluk, Kannur District. The specific prayer of the applicant in that application is to pass an order restraining the respondent No. 5 in the petition, M/S. RDS Project Limited, from conducting mining activities by suspending the Environmental Clearance No. 223/KNR/2017/DEIAA dated 23.02.2018 granted to them until the final adjudication of the accompanying original application. It is also prayed for pass an order directing SEIAA to set aside EC application No. 1504/EC-3/2019/SEIAA for all adjacent land at Survey No. 74/ID in Kuttoor Village of Payyannur Taluk, Kannur District until violation proceedings under the EP Act is undertaken against the proponent and also pass an order directing M/S. RDS Project Limited to compensate the State of Kerala for extra quantity of Granite, mined in excess of 55,000 tonnes at Survey Number 74/ID in Kuttoor Village, Taliparamba Taluk, Kannur District.

The Honourable National Green Tribunal after admitting the original application No.75/2021 (NSZ) passed an interim order on 26.02.2021, instructed to constitute joint committee comprising of (1) Senior officer of MoEF and CC ,Regional Office, Bangalore, (2) Senior officer from SEIAA, State of Kerala, (3) Senior Officer from Department of Mining & Geology (4) The District Collector, Kannur or



**DISTRICT COLLECTOR
KANNUR**

a senior officer not less than the rank of Assistant Collector or Sub Divisional Magistrate, as designated by the District Collector to inspect the area in question and submitted factual as well as action taken report, if there is any violation found. The Honourable Tribunal also designated that the department of Mining will be the Nodal Agencies for co-ordination and also for providing logistic for this purpose.

On the Basis of the direction of the Honourable National Green Tribunal this office has received a letter from the Director of Mining & Geology dated 25.03.21 requested to nominate an officer as directed to in the order and to intimate to that office urgently.

For the proper compliance of the directions contained in the letter the District Collector has nominated Smt. Anu Kumari, IAS, Sub Collector and Sub Divisional Magistrate, Thalassery, as a member of Joint Inspection Committee constituted by the National Green Tribunal vide its order dated 26.02.2021 in O.A. 75/2021 and intimated the fact to the Director Mining & Geology on 16.04.2021 by e-mail.

As this authority has sought an action taken report with regard to the violation by way of excess mining, senior Geologist, Department of Mining & Geology, Kannur submitted the following facts

The Senior Geologist Kannur has issued a quarrying permit as per Kerala Minor Mineral Concession Rules 2015 to Sri. Sumith Goyal, Managing Director M/S. RDS Project Limited, Shihab Thangal Road, Panampilly Nagar, Ernakulam-682020 for extracting 55000 MT Granite Building Stone from an area of 0.9933 hectares in survey No. 74/122, 74/635(74/ID old) **Kuttoor Village of Payyannur Taluk**, Kannur District. The validity period of the permit was expired on 19.03.2021. The above quarrying permit was granted on the basis of valid license of Local Self Government, Consent to operate the quarry from the Pollution Control


DISTRICT COLLECTOR
KANNUR

4

Board, Explosive License and Environmental Clearance from DEIAA Kannur. The Mining and Geology department has taken action as per Kerala Minor Mineral Concession Rules 2015, to compound an offence against the 5th respondent for violating the conditions of Mining plan and imposed an amount of Rs. 14,50,000/- which was collected vide Challan No. KL0698013202021M dated 04.01.2021 in District Treasury, Kannur. After that on 28.04.2021, the 5th respondent submitted revised Mining plan for approval. On verification of the plan, District Geologist found that an excess quantity of 5380MT of Granite Building Stone was extracted over and above the permitted quantity and compounded the offence on 12.11.2021 and realised an amount of Rs 397360/- vide Challan no. KL 015985730202122M of the District Treasury, Kannur.

In this circumstances, it is humbly submitted that the Honourable Tribunal pleased to accept the Action taken Report/Statement/Reply Affidavit of this respondent.

All the facts stated above are true to the best of knowledge, belief and information.

Dated this the 1st day of January 2022

[Signature]
DISTRICT COLLECTOR
KANNUR
DEPONENT

Solemnly affirmed and signed before me by the deponent who is personally known to me on this day of January 2022 at the office of the District Collector, Kannur

[Signature]
DISTRICT COLLECTOR
KANNUR

[Signature]
Deputy Collector (LA)
Collectorate, Kannur