

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No. 80 OF 2022 (SZ)

IN THE MATTER OF:

T. Karunapandi
S/o. Thangaraj Nada,
No.5/105, South Street,
Mela Alwarthoppu
Sri parasangunallur Panchayat
Srivaikundam Taluk
Thoothukudi District

...Applicant

Versus

1. The District Collector,
Thoothukudi District,
Thoothukudi
2. Assistant Director of Geology and Mining,
Thoothukudi District & others

...Respondents

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Through
Dr.D.Shanmuganathan
Standing Counsel
National Green Tribunal
South Zone

IN THE HON'BLE NATIONAL GREEN TRIBUNAL
APPLICATION NO 80 OF 2022 (SZ)

T.Karunapandi
S/o. Thangaraj Nada,
No.5/105, South Street,
Mela Alwar thoppu
Sri parasangunallur panchayat
Srivaikundam Taluk
Thoothukudi District.

Applicant

Vs

1. The District Collector,
Thoothukudi District,
Thoothukudi.
2. Assistant Director of Geology and Mining,
Thoothukudi District. & others

Respondents

REPORT FILED BY THE SECOND RESPONDENT

I, Dr. S.Suhatharahima, Muslim, aged about 33 years working as Assistant Geologist / Assistant Director (i/c) Department of Geology and Mining, Thoothukudi district do hereby solemnly affirm and sincerely state as follows:

1. I am the 2nd Respondent herein, as such I am well acquainted with the facts and circumstances of the case from the available records. I have perused the contents of the Affidavit filed by the petitioner in support of the Original application. I am submitting the report before the in the Hon'ble National Green Tribunal in Application no 80 of 2022 (SZ).

2. At the outset of this case, it is respectfully submitted that as per the G.O.(Ms).No. 135/ Industries (MMA1) Department dated 13.11.2009, G.O.(Ms).No.170 / Industries (MMC2) Department dated 14.2.2022, G.O.(Ms).No. 109 / Industries (E2) Department dated 18.5.2015 and G.O.(Ms).No. 19 / Industries (MMC2) Department dated 14.2.2022 all the enforcement, offices are keeping constant vigil on the quarrying and removal of minerals from the whole and corner of the district. In this case, the petitioner alleges the respondents 5 to 20 are continuing the activities of illegal quarrying and also running brick kilns.

3. I respectfully submit that, myself, Assitant Geologist /Assistant Director (i/c), Department of Geology and Mining, Thoothukudi district accompanied by the Special Revenue Inspector (Mines) and the Village Administrative Officer, Sriparangusanallur have inspected Country brick kilns, Brick Chambers and quarried pits of Sriparasangunallur village, Srivaikundam taluk, Thoothukudi district, with the help of third respondent, Tahsildar, Srivaikundam Taluk.

4. I respectfully submit that, the brick earth has already quarried and removed were identified in the following areas and the quantum of brick earth removed has been also calculated as follows.

Sl.No.	Village	SF. NO	Area in hectares	Quantity of Earth Removed in CBM	Name of the Chamber
1.	Sri parasangu nallur Srivaikundam Taluk	6/18	-	-	VAN Chamber
2.		64/44	0.22.50	2250	Sri Jeyaram Bricks
3.		37/8	0.31.0	3100	KPM Bricks
4.		64/8, 64/11, 64/12, 64/13	1.07.5	4875	Adhithya bRicks
5.		59/35	0.15.0	1134	Balaji Bricks
6.		82/7	0.69.5	1761	PPR Bricks
7.		107/5, 107/6B, 107/7B	0.59.8	805	Sun Chamber
8.		7/4A	-	-	Barani Chamber
9.		2/31, 3/2A	-	-	CKR Chamber
10.		2/29, 2/30	-	-	CKR Chamber
11.		5/10, 5/18A, 5/21	-	9904	SKS Chamber - Rs. 18,90,716/- penalty fixed in 2021
12.		96/15, 96/20, 96/20	-	4800	Sakthi Chamber Rs. 17,51,520/- penalty fixed in 2021
13.		63/21, 63/33	-	7660	Uma Chamber Rs. 13,63,,480/- penalty fixed in 2021
14.		90/2B, 90/2A, 2/9B, 2/8B1, 2/8A, 2/8B2, 2/8B3, 2/7	-	93083	Agni Chamber Rs. 1,65,68,774/- penalty fixed in 2021
15.		59/45, 59/40, 59/20	-	3348	VNC Chamber Rs. 5,95,944/- penalty fixed in 2021

5. I respectfully submit that, on spot enquiry were made regarding pattadars of the above said survey numbers of Sriparasangunallur village in Srivaikundam Taluk and secured village records and entrusted the further processes regarding the persons responsible for such unauthorised quarrying of brick earth, period of quarrying and other ultimate utilization. Apart from that, the quantity and the value of the mineral removed illegally from the aforesaid survey numbers addresses to the Sub Collector, Thoothukudi Revenue Division in Roc. NO. 897/GM1/2022 dated 04.11.2022 for levying penalty on the offenders.

6. I respectfully submit that, as per the Proceedings of the Subcollector, Thoothukudi Revenue Division, a sum of Rs. 17,54,550/- has been levied from the offenders vide e.f. M2/4929/2022 dated 01.02.2023. The Tahsildar, Srivaikundam, The Village Administrative Officer, Sriparasangunallur village and other members of Taluk Level Task Force Committee were also suitability instructed to constantly vigil over the identified areas.

7. I also respectfully submit that, as ordered by the Hon'ble National Green Tribunal (SZ) the details of areas inspected in Sri parasangu nallur Srivaikundam Taluk and penalty imposed on the offenders have tabulated below.

Sl.No.	SF. NO	Area in hectares	Quantity of Earth Removed in CBM	Name of the Chamber	Name of the Offender	Penalty
1.	64/44	0.22.50	2250	Sri Jeyaram Bricks	Balamagesh	Rs.2,83,500/-
2.	37/8	0.31.0	3100	KPM Bricks	Marinathan	Rs. 3,90,600/-
3.	64/8, 64/11, 64/12, 64/13	1.07.5	4875	Adhithya bRicks	Lingeswaran	Rs. 6,14,250/-

4.	59/35	0.15.0	1134	Balaji Bricks	Rathinasamy	Rs. 1,42,884/-
5.	82/7	0.69.5	1761	PPR Bricks	Prabhakaran	Rs.2,21,886/-
6.	107/5, 107/6B, 107/7B	0.59.8	805	Sun Chamber	Vivekanadan	Rs. 1,01,430/-
Total						Rs. 17,54,550/-

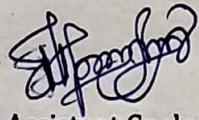
8. And also I submit that, in the year 2021, based on the Field Inspection report of Assistant Director, Department of Geology and Mining, Thoothukudi Revenue Divisional Officer, Thoothukudi has inspected Sriparasangunallur village, Srivaikundam taluk and ordered to levy the penalty for illegal quarrying activities in the subject area. The details of penalty fixed against the respondents by Revenue Divisional Officer, Thoothukudi as follows,

Sl.No.	Name of the respondents	Proceedings No. and date	Penalty
1.	Mr. Ravi Narayanan 5-190, Agni Chamber, Mangammal Salai, Alwarthoppu Sriparasangunallur Srivaikundam taluk	e.f. M2/706/2021-1 dated 10.08.2021	Rs. 1,65,68,774/-
2.	Mr. Baskaran Sakthi chamber Palkulam, Thirukkaloer Srivaikundam Taluk	e.f. M2/706/2021-2 dated 10.08.2021	Rs. 17,51,520/-
3.	Mr. Sababathi Uma chamner Valavallan main road Eral Taluk	e.f. M2/706/2021-3 dated 10.08.2021	Rs.13,63,480/-
4.	Mr. Lingamuneeswaran SKS Chamaber Alwarthoppu East Sriparasangunallor Srivaikundam taluk	e.f. M2/706/2021-4 dated 10.08.2021	Rs.18,90,716/-
5.	Mr. Srinivasan Srinivasan Chamner Maavadipannai Thiruchendur taluk	e.f. M2/706/2021-5 dated 10.08.2021	Rs.5,95,914/-

9. I respectfully submit that, All the enforcing authorities designated under G.O (Ms) No.170 /Ind (MMC1) Department dated 05.08.2020, Revenue Divisional Officer, Tahsildars and Police officials are alerted for keeping constant vigil over the subject area. The Revenue and are engaged in continuous patrolling in vulnerable areas.

10. It is also respectfully submitted that, all efforts are being accelerated to curb unauthorized quarrying and removal of brick earth and their transportation / storage in the brick kilns by the District Level and Taluk Level Task Force assisted by the flying squad and other enforcement offices round the clock. The public of the river banks of Tamirabharani are also frequently consulted to identify the brick earth quarrying area. The government also liberalized the licensing procedure through rule 44 of the Tamilnadu Minor Mineral Concession Rules 1959 for the reclamation of agricultural lands and removal of earth from such lands to brick kilns and units.

Therefore, in view of the above, the Hon'ble National Green Tribunal (sz) Chennai may accept this reply and may be pleased to order or further direct in the interest of public and mineral development and this render justice.


Assistant Geologist /
Assistant Director (i/c)
Geology and Mining
Thoothukudi