

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI  
Appeal No. 2 of 2025 (SZ)**

**Thiru. M.P. SHANMUGHARAJA,**  
S/O Paneer Selvam,  
D.No. 5/ 15 L, Subbarayan Nagar,  
Mettur Dam,  
Salem District- 636 401

**... 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](mailto:seiaamstn@gmail.com)  
Phone No. 044-24359973

**And Another**

**... Respondents**

**INDEX**

<b>S.NO.</b>	<b>DESCRIPTION</b>	<b>PG. NO.</b>
1.	Counter Affidavit filed on behalf of the 1st & 2nd Respondents	1-8
2.	Annexures	9-22

Dated at Chennai on this the 28th day of May 2025



COUNSEL FOR 1ST AND 2ND RESPONDENTS

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI  
Appeal No. 2 of 2025 (SZ)**

Thiru. M.P. SHANMUGHARAJA,  
S/O Paneer Selvam,  
D.No. 5/ 15 L, Subbarayan Nagar,  
Mettur Dam,  
Salem District- 636 401

**... Appellant**

**Vs**

1.State Level Environment Impact Assessment Authority (SEIAA),  
Rep. by its Member Secretary,  
No.327 Metros, 9th Floor, Anna Salai,  
Nandanam, Chennai- 600 035  
Email: [seiaamstn@gmail.com](mailto:seiaamstn@gmail.com)  
Phone No. 044-24359973

2.State Level Expert Appraisal Committee (SEAC),  
Rep. by its Chairman,  
No.327 Metros, 9th Floor, Anna Salai,  
Nandanam, Chennai- 600 035  
Email: [seacchairmantn@gmail.com](mailto:seacchairmantn@gmail.com)  
Phone No. 044-24359973.

**... Respondents**

**COUNTER AFFIDAVIT FILED ON BEHALF OF SEIAA – TAMIL NADU,  
THE 1<sup>st</sup> & 2<sup>nd</sup> RESPONDENTS**

I, A.R. Rahul Nadh, I.A.S., aged about 37 years, working as Member Secretary, State Level Environment Impact Assessment Authority, Tamil Nadu (SEIAA-TN) having office at No.327 Metros, 9th Floor, Anna Salai, Nandanam, Chennai- 600 035 do hereby solemnly affirm and sincerely state as follows:

Page 1 of 8

Member Secretary  
STATE LEVEL ENVIRONMENT IMPACT  
ASSESSMENT AUTHORITY - TAMIL NADU  
No. 327, Metros, 9th Floor,  
Anna Salai, Nandanam, Chennai-600 035.

  
**Member Secretary  
STATE LEVEL ENVIRONMENT IMPACT  
ASSESSMENT AUTHORITY - TAMIL NADU  
No. 327, Metros, 9th Floor,  
Anna Salai, Nandanam, Chennai-600 035.**

1. I am filing this counter affidavit on behalf of the 1<sup>st</sup> & 2<sup>nd</sup> Respondents 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. I state that I have perused the appeal and deny the averments and allegations stated therein except those that are specifically admitted hereunder and put the Appellant to strict proof of the same.
3. It is respectfully submitted that the project proponent Mr M.P Shanmugaraja, had applied to SEIAA-TN for Grant of Environmental Clearance for the Proposed Rough Stone Quarry over an extent of 0.64.5 Ha at SF No. 140/1 & 141/2 in Moolakkadu Village, Mettur Taluk, Salem District vide online application no. SIA/TN/MIN/416440/2023 dt 31.01.2023. This project is covered under category "B2" of the Schedule to the EIA Notification, 2006 as amended.
4. It is respectfully submitted that the proposal was placed in the 373<sup>rd</sup> meeting of SEAC held on 28.04.2023 and the Project Proponent made a presentation through his consultant during the meeting. Based on the presentation and documents submitted, the SEAC noted that the proposed site is in an ecologically sensitive area. It is surrounded by the Palamali RF on three sides and the fourth side is very close to Mettur dam. Therefore, SEAC decided not to recommend the proposal.
5. It is respectfully submitted that the proposal was subsequently proposal was placed in the 620<sup>th</sup> meeting held on 22.05.2023. The Authority decided to accept the decision made by SEAC and decided not to recommend the proposal. The Rejection letter was issued to the proponent vide Letter No. SEIAA-TN/F.No.9781/2023 dated 16.08.2023.
6. It is respectfully submitted that the Proponent aggrieved by the decision of SEIAA not to grant EC for the above proposal, appealed in the Hon'ble National Green Tribunal (NGT), Southern Zone, Chennai against the decision of SEIAA and sought fresh consideration of the case vide Appeal No.45 of 2023 (SZ)

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 STATE LEVEL ENVIRONMENT IMPACT  
 ASSESSMENT AUTHORITY - TAMIL NADU  
 No. 327, Metros, 9th Floor,  
 Anna Salai, Nandanam, Chennai-600 035

Page 2 of 8

  
 Member Secretary  
 STATE LEVEL ENVIRONMENT IMPACT  
 ASSESSMENT AUTHORITY - TAMIL NADU  
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7. It is respectfully submitted that the Hon'ble NGT in its order dated 18<sup>th</sup> Day of July 2024 had set aside the impugned order of SEIAA dated 16.08.2023 and the matter was remitted back to SEAC to revisit the proposal afresh and assess the same by affording an opportunity of personal hearing to the appellant i.e Project Proponent to reconsider and submit to SEIAA for necessary order.
8. It is respectfully submitted that the proposal was placed before the 742<sup>nd</sup> meeting of SEIAA held on 29.07.2024 & 30.07.2024 after deliberation Authority decided to forward to SEAC for further course of action and direction and also the possibility of going for appeal before the Hon'ble High Court of Madras in view of the letter from Special Chief Engineer, WRD, State Dam Safety Organisation Chennai dated 26.04.2024.
9. It is respectfully submitted that the subject was placed in the 493<sup>rd</sup> meeting of SEAC on 30.08.2024 wherein the project proponent was present and given a hearing based on Hon'ble NGT (SZ) Order. SEAC reappraised the proposal and stated that the proposed site is situated in an ecologically critical area surrounded by Palamalai Reserve Forest on three sides and Mettur Dam on the fourth site.
10. It is respectfully submitted that SEIAA has obtained a report from the Government of Tamilnadu, Water Resources Department on the implication of mining activities in the proposed site. The Water Resources Department (State Dam Safety Organisation, Chepauk, Chennai) vide letter dated 26.04.2024 and 02.07.2024 has submitted a report. As per the report:

*"The Mettur Dam was Constructed during the year 1925-1934 and it is located in Navapatty village of Mettur Taluk in Salem District. The*

*Proposal rough stone quarry is situated at S.F.No. 140/1 & 141/2 in Moolakkadu village of Mettur Taluk in Salem District. The Proposed Quarry site is surrounded by Palamalai reserve forest on three sides and the fourth side is nearer to Stanley Reservoir water spread area. The aerial distance between the proposed rough stone quarry site and the water spread area is*

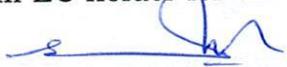
  
**Member Secretary**  
**STATE LEVEL ENVIRONMENT IMPACT**  
**ASSESSMENT AUTHORITY - TAMIL NADU**  
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1.25 km. The road distance between Mettur Dam body wall and the proposed quarry site is 4.40 Km. The aerial distance between Mettur Dam body wall and the proposed quarry site is 3.40 Km.

The proposed rough stone quarry site is 4.40 km to the Mettur Dam body wall and 1.25 km to water spread area, Due to the Mining activities, the 90 years old dam may get affected and also the inflow from Palamalai reserve forest to water spread area may get deviated. Carrying out mining operation near to Mettur Dam body wall, the integrity and stability of Mettur Dam may not be ensured. Also blasting in nearby quarry sites will affect the readings recorded in seismograph and accelerograph fixed in the Dam body wall to study the seismic activity in the surroundings of Mettur dam. Hence, the mining operation and other activities nearest to the Mettur Dam is not advisable.”

11. It is respectfully submitted that in view of the report submitted by the Government of Tamilnadu Water Resource Department and the criticality of the proposed site the recommendation made by SEAC need not be revised.
12. It is respectfully submitted that that in the 373rd SEAC meeting held on 28.04.2023, the Committee has recommended Environmental Clearance (EC) to the Project Proponent, Thiru. M. Arumugam for the proposed Rough Stone Quarry mining project lease over an extent of 1.50.0Ha S.F.No.137(Part), Moolakkadu Village, Mettur Taluk, Salem District, Tamilnadu vide Online Proposal No. SlA/TN/M1N/416501/2023 dated: 31.01.2023 & File No. 9782/2023. The Committee decision was based on the following factors:
  - i. The said mining site (EC recommended) was further far away from the site (EC rejected) in question by more than 500m.

However in view of the WRD report received from the Government of Tamilnadu Water Resources Department (State Dam Safety Organisation, Chepauk, Chennai), the SEAC recommended that the Authority issue a show cause notice to the Project Proponent, Thiru.M.Arumugam EC holder for the

  
**Member Secretary**  
**STATE LEVEL ENVIRONMENT IMPACT**  
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 STATE LEVEL ENVIRONMENT IMPACT  
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 Page 4 of 8

Rough Stone quarry mining project lease over an extent of 1.50.0Ha in S.F.No.137(Part), Moolakkadu Village, Mettur Taluk, Salem District, Tamilnadu, as to why the Environmental Clearance issued should not be cancelled/revoked in view of the report of the WRD, after getting a report in this regard from WRD as the report already received is specific to the proposed mining activity covered in this Agenda.

Further, in order to guide SEAC and SEIAA in taking decisions in similar situations, SEIAA may request the Government of Tamilnadu, Water Resources Department (State Dam Safety Organisation, Chepauk, Chennai) to study and submit a comprehensive report indicating the safe buffer zones for all the major Dams in Tamilnadu within which mining operations should be disallowed.

13. It is respectfully submitted that the subject was placed in the 754<sup>th</sup> meeting of SIEAA on 16.09.2024 wherein the Authority decided to follow the earlier recommendation made by SEAC and decided not to recommend the proporsal *"The SEIAA noted that the subject was appraised in the 493rd meeting of SEAC held on 30.08.2024. In view of the criticality of the proposed site of the mine and also in view of the report submitted by the Government of Tamil Nadu Water Resources Department (State Dam Safety Organisation, Chepauk, Chennai), the Committee decided that the earlier recommendation made by the SEAC need not be revised. Further, the Committee noted that in the 373rd meeting of SEAC held on 28.04.2023, the Committee has recommended Environmental Clearance (EC) to the Project Proponent, Thiru.M.Arumugam for the proposed Rough Stone Quarry mining project lease over an extent of 1.50.0Ha S.F.No.137(Part), Moolakkadu Village, Mettur Taluk, Salem District, Tamilnadu vide Online Proposal No. SIA/TN/MIN/416501/2023 dated: 31.01.2023 & File No. 9782/2023. The Committee decision was based on the following factor:*

i. The said mining site (EC recommended) was further far away from the site (EC rejected) in question by more than 500m. However, in view of the WRD report now received from the Water Resources Department (State Dam Safety Organisation, Chepauk, Chennai), Government of Tamil Nadu the SEAC recommends that the Authority may issue a show cause notice to the Project Proponent, Thiru. M. Arumugam EC holder for the Rough Stone quarry mining project lease over an extent of 1.50.0Ha in S.F.No.137(Part), Moolakkadu Village, Mettur Taluk, Salem District, Tamil Nadu, as to why the Environmental Clearance issued should not be cancelled/revoked in view of the report of the WRD, after getting a report in this regard from WRD as the report already received is specific to the proposed mining activity covered in this Agenda. Further, in order to guide the Committee and Authority in taking decisions in similar situations, the Authority may request the Water Resources Department (State Dam Safety Organisation, Chepauk, Chennai), Government of Tamil Nadu, to study and submit a comprehensive report indicating the safe buffer zones for all the major Dams in Tamilnadu within which mining operations should be disallowed. In view of the above, the SEIAA, after detailed discussions, accepting the decision of SEAC, rejected the proposal and decided to request the Member Secretary, SEIAA-TN to grant rejection letter to the proponent as per 493rd minutes of SEAC. Further, the SEIAA decided to close and record this proposal.

(Action: Unit VIII Officer)

Based on the recommendations of SEAC, the SEIAA decided to request the Member Secretary, SEIAA to issue a show cause notice to the Project Proponent, Thiru.M.Arumugam EC holder for the Rough Stone quarry mining project lease over an extent of 1.50.0Ha in S.F.No.137(Part), Moolakkadu Village, Mettur Taluk, Salem District, Tamil Nadu, as to why the Environmental Clearance issued should not be cancelled/revoked in view of the report of the WRD, after getting a report in this regard from WRD as the report already received is specific to the proposed mining activity covered in this Agenda.

(Action: Unit II officer)



**Member Secretary**  
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Member Secretary  
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 No. 327, Metros, 9th Floor,  
 Anna Salai, Nandanam, Chennai-600 035.  
 Page 6 of 8

Further, in order to guide the SEAC and SEIAA in taking decisions in similar situations, the SEIAA decided to request the Member Secretary, SEIAA to write a letter to the Water Resources Department (State Dam Safety Organisation, Chepauk, Chennai), Government of Tamil Nadu requesting to study and submit a comprehensive report indicating the safe buffer zones for all the major Dams in Tamil Nadu within which mining operations should be disallowed.

(Action: Unit I Officer)"

14. It is respectfully submitted that as per recommendation the Member Secretary, SEIAA vide Lr.No.SEIAA- TN/F.No.9781/Legal/2024 dated 05.03.2024 addressed a letter to the Water Resources Department (State Dam Safety Organisation, Chepauk, Chennai), Government of Tamil Nadu requesting to study and submit a comprehensive report indicating the safe buffer zones for all the major Dams in Tamil Nadu within which mining operations should be disallowed.

15. It is respectfully submitted that vide Lr.No. M/F.3/Dam Safety Act/SDSO/AE IV/2024 dated 26.04.2024 the Special Chief Engineer, WRD, had addressed a letter to the Member Secretary, SEIAA stating that The Chief Engineer, WRD, Trichy Region has addressed the Director, Engineering Geology Division, Geological Survey of India (GSI), Chennai and requested to provide valuable suggestions/recommendations regarding the safety distance around the boundary of Mettur dam for carrying out the mining operation and other activities to ensure the integrity and stability of Mettur dam vide Chief Engineer, WRD, Trichy Region, Trichy, Letter No.117 EIC / AE-II / F.38 (Mettur General) / 2024 / dated 18.04.2024 addressed to the director, GSI and copy marked to Member Secretary, SEIAA.

16. It is respectfully submitted that the Member Secretary, SEIAA has addressed a letter vide reference number Lr.No. SEIAA-TN/Rough Stone Proposals - Dam Safety/2025 dated: 07.02.2025 requesting to "convene a



**Member Secretary**  
**STATE LEVEL ENVIRONMENT IMPACT**  
**ASSESSMENT AUTHORITY - TAMIL NADU**  
 No. 327, Metros, 9th Floor,  
 Anna Salai, Nandanam, Chennai-600 035.

joint meeting with the Commissioner, Dept. of Geology ; Mining ; Chief Engineer, Water Resource Department to discuss on the following:

1. Water Resource Department may be requested to establish a safety zone around each dams of Tamil Nadu with respect to mining/blasting operations and furnish a report.
2. The possibilities of including a clause in Dam Safety Act, 2021, with reference to the safety distance to be maintained while carrying out mining/blasting operations near a dam site.”

It is therefore 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.



**Member Secretary**  
**STATE LEVEL ENVIRONMENT IMPACT**  
**ASSESSMENT AUTHORITY - TAMIL NADU**  
 No. 327, Metros, 9th Floor,  
 Anna Salai, Nandanam, Chennai-600 035.

Solemnly affirmed in Chennai

On this the 31<sup>st</sup> day of March 2025

signed his name in my presence

Before me,

*D. Arvind*  
 (Ms. 317/2003)  
 (No. 104, Law chambers  
 Highcourt, Madras)

Advocate, Chennai

.....”

7. In response to the Hon'ble NGT order dated.30.07.2024, the proposal was placed in the 744<sup>th</sup> Authority meeting for taking necessary action.

The Authority noted that the Hon'ble NGT has not accepted the rejection order issued to the proposal even though the grounds for rejection are factual, scientific and based on on-site conditions.

The Authority decided to forward the proposal to SEAC along with the NGT order dated.30.07.2024 for seeking remarks of the Committee.

8. In view of the above, the proposal is placed in this 493<sup>rd</sup> SEAC meeting.

During the meeting, the Committee noted that the proponent has given false information in Form-1 regarding the details of nearest habitation. Further, the details of nearest habitation mentioned in the Form-1 submitted with the EC proposal, in the PPT presented during the 401<sup>st</sup> SEAC meeting and in the affidavit submitted before the Hon'ble NGT were different.

During the meeting, the proponent requested some more additional time to revise the Mining Plan to meet the concerns of the Committee and to incorporate necessary mitigating measures in the EMP.

Hence, the Committee decided to defer the proposal.

**Agenda No: 493-16**

**(File No: 9781/2023)**

**Proposed Rough Stone Quarry lease over an extent of 0.64.5ha of Patta land in S.F.No. 140/1 & 141/2 of Moolakkadu Village, Mettur Taluk, Salem District, Tamil Nadu by Thiru. M.P. Shanmugharaja – for Environmental Clearance.**

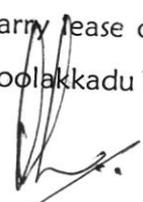
**(SIA/TN/MIN/416440/2023, Dated: 31.01.2023)**

The proposal was placed in this 493<sup>rd</sup> meeting of SEAC held on 30.08.2024. 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. M.P. Shanmugharaja has applied for Environmental Clearance for the proposed Rough Stone quarry lease over an extent of 0.64.5ha of Patta land in S.F.No. 140/1 & 141/2 of Moolakkadu Village,

  
MEMBER SECRETARY  
SEAC -TN

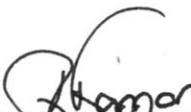
  
CHAIRMAN  
SEAC- TN

Mettur Taluk, Salem District, Tamil Nadu.

2. The proposed quarry/activity is covered under Category "B2" of Item 1(a) "Mining Projects" of the Schedule to the EIA Notification, 2006.
3. The precise area communication/lease is issued for the period of 5 Years. The approved mining plan is for the period of 5 years & production should not exceed 26760m<sup>3</sup> of Rough Stone. The Annual peak production 6105m<sup>3</sup> of Rough stone. The ultimate depth of mining is 16m BGL.
4. Earlier, the proposal was placed in 373<sup>rd</sup> SEAC meeting held on 28.04.2023. Based on the presentation and documents furnished by the project proponent, SEAC noted that the proposed site is in an ecologically sensitive area. It is surrounded by the Palamali RF on three sides and the fourth side is very close to Mettur dam. Therefore, SEAC decided **not to recommend** the proposal for the grant of Environmental Clearance.
5. Subsequently, the proposal was placed in the 620<sup>th</sup> Authority meeting held on 22.05.2023. The Authority decided to accept the decision made by SEAC and communicate the SEAC minutes to the project proponent.
6. Rejection Letter was issued to the proponent vide Letter No. SEIAA-TN/F.No.9781/2023 dated: 16.08.2023.
7. Subsequently, the proponent has filed an appeal petition in the Hon'ble National Green Tribunal, Southern Zone, Chennai vide Appeal No. 45 of 2023 and the Hon'ble National Green Tribunal, Southern Zone has passed the following order on 18.07.2024.

*"25. In such circumstances, it would be appropriate to set aside the order of rejection dated 16.08.2023 and remit the same back to the 2nd Respondent (SEAC – Tamil Nadu) to reconsider the same and submit to the 1st Respondent (SEIAA – Tamil Nadu) for necessary orders.*

*26. Accordingly, the impugned rejection order dated 16.08.2023 is set aside and remitted back to the SEAC/SEIAA – Tamil Nadu for reconsideration after giving an opportunity of personal hearing to the appellant and for passing fresh orders within a period of 4 (Four) weeks."*

  
MEMBER SECRETARY  
SEAC -TN.

  
CHAIRMAN  
SEAC- TN

8. Based on the order dated 18.07.2024 passed by the Hon'ble National Green Tribunal, Southern Zone, Chennai in Appeal No. 45 of 2023, the subject was placed in the 742<sup>nd</sup> Authority meeting held on 29.07.2024 & 30.07.2024.

In view of the above, the Authority after detailed deliberations decided to forward the court direction to SEAC for further course of action and direction and also the possibility for going for appeal before the Hon'ble High Court of Madras against the order of the Hon'ble NGT (SZ) since the Special Chief Engineer, WRD, State Dam Safety Organisation, Chennai vide letter dated 26.04.2024 has forwarded the letter received from the Chief Engineer, WRD, Trichy Region. The Chief Engineer, WRD, Trichy Region vide letter dated 18.04.2024 has stated the following:

*"The Mettur Dam was Constructed during the year 1925-1934 and it is located in Navapatty village of Mettur Taluk in Salem District. The Proposal rough stone quarry is situated at S.F.No. 140/1 & 141/2 in Moolakkadu village of Mettur Taluk in Salem District. The Proposed Quarry site is surrounded by Palamalai reserve forest on three sides and the fourth side is nearer to Stanley Reservoir water spread area. The aerial distance between the proposed rough stone quarry site and the water spread area is 1.25 km. The road distance between Mettur Dam body wall and the proposed quarry site is 4.40 Km. The aerial distance between Mettur Dam body wall and the proposed quarry site is 3.40 Km.*

*The proposed rough stone quarry site is 4.40 km to the Mettur Dam body wall and 1.25 km to water spread area, Due to the Mining activities, the 90 years old dam may get affected ad also the inflow from Palamalai reserve forest to water spread area may get deviated. Carrying out mining operation near to Mettur Dam body wall, the integrity and stability of Mettur Dam may not be ensured. Also blasting in nearby quarry sites will affect the readings recorded in seismograph and accelerograph fixed in the Dam body wall to study the seismic activity in the surroundings of Mettur Dam. Hence, the mining operation and other activities nearest to the Mettur Dam is not advisable."*

  
MEMBER SECRETARY  
SEAC -TN

  
CHAIRMAN  
SEAC- TN

Accordingly, the subject was placed in the 493<sup>rd</sup> meeting of SEAC held on 30.08.2024 and the PP was present for the meeting and he was given a hearing.

Based on the Hon'ble NGT (SZ) Order, the Committee carefully reappraised the proposal as noted in the earlier meeting of the Committee. The proposed site is situated in an ecologically critical area surrounded by Palamalai Reserve forest on three sides and Mettur Dam on the fourth side. Further, SEIAA has since obtained a report from the Government of Tamilnadu, Water Resources Department (State Dam Safety Organisation, Chepauk, Chennai) on the implications of mining activity in the proposed site. The Water Resources Department (State Dam Safety Organisation, Chepauk, Chennai) vide letter dated 26.04.2024 & 02.07.2024 has submitted a detailed report to SEIAA. As per the WRD report "*The Mettur Dam was constructed during the year 1925-1934 and it is located in Navapatty village of Mettur Taluk in Salem District. The proposed rough stone quarry is situated at S.F.No.140/1 & 141/2 in Moolakkadu village of Mettur Taluk in Salem District. The proposed Quarry site is surrounded by Palamalai reserve forest on three sides and the fourth side is nearer to Stanley Reservoir water spread area. The aerial distance between the proposed rough stone quarry site and the water spread area is 1.25 km. The road distance between Mettur Dam body wall and the proposed quarry site is 4.40 Km. The aerial distance between Mettur Dam body wall and the proposed quarry site is 3.40 Km.*

*The proposed rough stone quarry site is very nearer to the Mettur Dam body wall and water spread area. Due to the Mining activities, the 90 years old dam may get affected and also the inflow from Palamalai reserve forest to water spread area may get deviated. Carrying out mining operation near to Mettur Dam body wall, the integrity and stability of Mettur Dam may not be ensured. Also blasting in nearby quarry sites will affect the readings recorded in seismograph and accelerograph fixed in the Dam body wall to study the seismic activity in the surroundings of Mettur Dam. Hence, **the mining operation and other activities nearest to the Mettur Dam is not advisable.**"*

In view of the criticality of the proposed site of the mine and also in view of the report submitted by the Government of Tamilnadu Water Resources Department (State Dam Safety Organisation, Chepauk, Chennai), the Committee decided that the earlier recommendation made by the SEAC need not be revised. Further, the Committee noted

  
MEMBER SECRETARY  
SEAC -TN

  
CHAIRMAN  
SEAC- TN

that in the 373<sup>rd</sup> SEAC meeting held on 28.04.2023, the Committee has recommended Environmental Clearance (EC) to the Project Proponent, Thiru.M.Arumugam for the proposed Rough Stone Quarry mining project lease over an extent of 1.50.0Ha S.F.No.137(Part), Moolakkadu Village, Mettur Taluk, Salem District, Tamilnadu vide Online Proposal No. SIA/TN/MIN/416501/2023 dated: 31.01.2023 & File No. 9782/2023. The Committee decision was based on the following factors:

- i. The said mining site (EC recommended) was further far away from the site (EC rejected) in question by more than 500m.

However in view of the WRD report now received from the Government of Tamilnadu Water Resources Department (State Dam Safety Organisation, Chepauk, Chennai), the SEAC recommends that the Authority may issue a show cause notice to the Project Proponent, Thiru.M.Arumugam EC holder for the Rough Stone quarry mining project lease over an extent of 1.50.0Ha in S.F.No.137(Part), Moolakkadu Village, Mettur Taluk, Salem District, Tamilnadu, as to why the Environmental Clearance issued should not be cancelled/revoked in view of the report of the WRD, **after** getting a report in this regard from WRD as the report already received is specific to the proposed mining activity covered in this Agenda.

Further, in order to guide the Committee and Authority in taking decisions in similar situations, the Authority may request the Government of Tamilnadu, Water Resources Department (State Dam Safety Organisation, Chepauk, Chennai) to study and submit a comprehensive report indicating the safe buffer zones for all the major Dams in Tamilnadu within which mining operations should be disallowed.

**Agenda No: 493-17**

**File No: C.No. 2720/2024**

**M/s. SAIL Refractory Company Limited has applied for EC to the MOEF & CC for the Magnesite & Dunite mining with production capacity of 26,43,936 MTPA ROM (which includes 115071 TPA Magnesite and 67104 TPA Dunite) in the ML area of 622.69 Ha of M/s. SAIL Refractory Company Limited located at Thathaiyanagarpatti, Moongilpadi, Karuppur, Vellakkapatti, Mallamoopanpatti Village, Omalur Taluk, Salem District, Tamil Nadu. Salem District Survey Report for Dunite to be approved by**

  
MEMBER SECRETARY  
SEAC -TN

  
CHAIRMAN  
SEAC- TN

## WATER RESOURCES DEPARTMENT

From  
Er. M. Subramanian, BE.,  
Chief Engineer, WRD.,  
Trichy Region, Trichy – 20.  
Phone No: 0431-2331411  
Fax No: 0431-2331148  
E. mail-ID: cetrydb@hotmail.com

To  
The Director,  
Engineering Geology Division,  
Geological Survey of India,  
State Unit: Tamil Nadu & Puducherry,  
Inner Ring Road, Guindy,  
Chennai-32.

**Letter. No:- 117 EIC / AE-II / F. 38 (Mettur General) /2024 / Date: 18 .04.2024**

Sir,

**Sub : TNWRD – State Dam Safety Organization – State Level Environment Impact Assessment Authority (SEIAA) – TN – Clarification regarding safety distance around the Mettur Dam for carrying out the mining activities – Details requested by SEIAA – clarifications requested - Regarding.**

**Ref : 1. Member Secretary, State Level Environment Impact Assessment Authority, Tami Nadu, Chennai Letter No. SEIAA / TN / F.No. 9781 / Legal / 2024 / dated 05.03.2024.**  
**2. The Special Chief Engineer, State Dam Safety Organization (SDSO), WRD, Chepauk, Chennai-05 Letter No. 46M / F.3 / Dam Safety Act / SDSO / AE-IV / 2023 / Dated 13.03.2024.**  
**3. Executive Engineer, WRD., Mettur Dam Division, Mettur Letter No. 120M / DB / JDO-1 / F. 214(DS) / 2024 / Dated 02.04.2024.**

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In the reference letter cited, the Member Secretary, SEIAA has informed that the project proponent, Thiru, MP. Shanmugaraja has sought Environmental clearance for the proposed Rough Stone Quarry located at a distance of 1.8 Km from the Mettur dam, The Environmental clearance was rejected by the State Environmental Impact Assessment Authority of Tamilnadu as the proposed site is in ecologically sensitive area.

It is also informed that the above matter was taken up in the Hon'ble National Green Tribunal (SZ) on 20.02.2024. During the hearing, the Hon'ble Justice directed the

SEIAA-TN to seek clarification from the State Dam Safety Committee regarding whether any safety distance determined around the boundary of the dam for carrying out mining operation and other activities in order to ensure integrity and stability of Mettur dam.

In this regard, the Special Chief Engineer, State Dam Safety Organization (SDSO), WRD informed that, there is no information in Dam Safety Act, 2021 regarding carrying out of mining activities near dam site and requested to instruct the Executive Engineer, Mettur dam to inspect the dam site and furnish the detailed report on the above subject vide reference 2<sup>nd</sup> cited.

In the reference letter 3<sup>rd</sup> cited, the Executive Engineer, WRD., Mettur Dam Division, Mettur has submitted the detailed report on the above subject as follows.

The Mettur Dam was Constructed during the year 1925-1934 and it is located in Navapatty village of Mettur Taluk in Salem District. The Proposal rough stone quarry is situated at S.F.No.140/1 & 141/2 in Moolakkadu village of Mettur Taluk in Salem District. The Proposed Quarry site is surrounded by Palamalai reserve forest on three sides and the fourth side is nearer to Stanley Reservoir water spread area. The aerial distance between the proposed rough stone quarry site and the water spread area is 1.25 km. The road distance between Mettur Dam body wall and the proposed quarry site is 4.40 Km. The aerial distance between Mettur Dam body wall and the proposed quarry site is 3.40 Km.

The proposed rough stone quarry site is 4.40 km to the Mettur Dam body wall and 1.25 km to water spread area, Due to the Mining activities, the 90 years old dam may get affected and also the inflow from Palamalai reserve forest to water spread area may get deviated. Carrying out mining operation near to Mettur Dam body wall, the integrity and stability of Mettur Dam may not be ensured. Also blasting in near by quarry sites will affect the readings recorded in seismograph and accelerograph fixed in the Dam body wall to study the seismic activity in the surroundings of Mettur Dam. Hence, the mining operation and other activities nearest to the Mettur Dam is not advisable.

In this regard, the Director, Engineering Geology Division, Geological Survey of India, Chennai is requested to provide valuable suggestion / recommendations regarding safety distance around the boundary of the dam for carrying out mining operations and other activities in order to ensure the integrity and stability of the Mettur dam. Since the

details has to be furnished immediately to the Hon'ble NGT (SZ) for the above said matter.

Encl.: Copy of ref. 1<sup>st</sup> and 3<sup>rd</sup> cited.

Sd/....

Chief Engineer, WRD,  
Trichy Region, Trichy 20.

Copy to the Special Chief Engineer, State Dam Safety Organization (SDSO), WRD, Chepauk, Chennai-05 for information.

Copy to the Superintending Engineer, WRD. Upper Cauvery Basin Circle, Salem for information.

Copy to Executive Engineer, WRD., Mettur Dam Division, Mettur for information.

*K. S. S. S.*  
*18/4/24*  
For Chief Engineer, WRD,  
Trichy Region, Trichy 20.

*D*  
*18/04/24*

**GOVERNMENT OF TAMILNADU  
WATER RESOURCES DEPARTMENT**

From

**Er.I.Selvapackiam, B.E.,**

Special Chief Engineer, WRD,  
State Dam Safety Organisation,  
Chepauk, Chennai – 5.

E-mail: [tndamsafety@gmail.com](mailto:tndamsafety@gmail.com)

To

The Member Secretary,  
State Level Environment Impact  
Assessment Authority (SEIAA)-  
TamilNadu,  
3<sup>rd</sup> Floor, Panagal Maaligai,  
No.1, Jeenis Road, Saidapet,  
Chennai – 600 015.

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**Lr.No. M / F.3 / Dam Safety Act / SDSO / AE IV / 2024 dt. 26.04.2024**

**Sir,**

**Sub:** TNWRD - State Dam Safety Organization – State Level Environment Impact Assessment Authority (SEIAA) – TN – Clarification regarding safety distance around the Mettur Dam for carrying out the mining activities – Details Requested by SEIAA – Reg.

**Ref:** 1. Member Secretary, SEIAA, Chennai, Lr.No.SEIAA-TN/F.No.9781/Legal/2024 dated 05.03.2024 addressed to this office.  
2. T.O.Lr.No. M / F.3 / Dam Safety Act / SDSO / AE IV / 2023 dated 13.03.2024 addressed to the Chief Engineer, WRD, Trichy Region and copy marked to the Member Secretary, SEIAA-TamilNadu.  
3. T.O.Lr.No. M / F.3 / Dam Safety Act / SDSO / AE IV / 2023 dated 15.04.2024 addressed to the Chief Engineer, WRD, Trichy Region.  
4. Chief Engineer, WRD, Trichy Region, Trichy, Letter No.117 EIC / AE-II / F.38 (Mettur General) / 2024 / dated 18.04.2024 addressed to the Director, GSI and copy marked to this office.

\*\*\*\*\*

In the reference letter 2<sup>nd</sup> and 3<sup>rd</sup> cited, the Chief Engineer, WRD, Trichy Region has been requested to furnish the detailed report on the clarification regarding safety distance around the Mettur Dam for carrying out the mining activities specifically indicating whether the Rough stone quarry affects the Mettur dam enclosing a copy of ref. 1<sup>st</sup> cited.

In this regard, it is informed that, the Chief Engineer, WRD, Trichy Region is the Inspecting Officer for Mettur dam and also the Regional Chief Engineer for all the dams coming under his Territorial Jurisdiction.

The Chief Engineer, WRD, Trichy Region has addressed the Director, Engineering Geology Division, Geological Survey of India (GSI), Chennai and requested to provide valuable suggestions / recommendations regarding the safety distance around the boundary of Mettur dam for carrying out the mining operation and other activities in order to ensure the integrity and stability of Mettur dam vide reference 4<sup>th</sup> cited and a copy of the letter is enclosed herewith for favour of information.

**Encl.:-** Copy of letter 4<sup>th</sup> cited.

**-Sd/-, 26.04.2024**

Special Chief Engineer, WRD,  
State Dam Safety Organisation, Chennai.

1. Copy submitted to the Chief Engineer, WRD, Operation and Maintenance and State Dam Safety Organization, Chepauk, Chennai –5 for favour of information.
2. Copy submitted to the Chief Engineer, WRD, Trichy Region, Trichy for favour of information and further action. The Chief Engineer, Trichy Region is requested to send the Report to the Member Secretary, State Level Environment Impact Assessment Authority (SEIAA)-Tamilnadu, Chennai with a copy marked to this office.
3. Copy to the Superintending Engineer, WRD, Upper Cauvery Basin Circle, Salem for necessary action.
4. Copy to the Executive Engineer, WRD, Mettur Dam Division, Mettur for necessary follow-up action.

			In view of the above, Authority after detailed deliberations, decided to forward the representation to SEAC-TN for further course of action and direction.
5.	Proposed Rough stone quarry lease over an extent of 0.64.5ha of patta land in S.F.No.140/1 & 141/2 of Moolakkadu Village, Mettur Taluk, Salem District, Tamil Nadu by Thiru.M.P.Shanmugharaja-for Environmental Clearance. (SIA/TN/MIN/416440/2023)	9781	<p>The subject was placed in the 742<sup>nd</sup> Authority meeting held on 29.07.2024 &amp; 30.07.2024. The authority noted as follows:</p> <p>Based on the order dated 18.07.2024 passed by the Hon'ble National Green Tribunal, Southern Zone, Chennai in Appeal No. 45 of 2023, which states that,</p> <p><i>"25. In such circumstances, it would be appropriate to set aside the order of rejection dated 16.08.2023 and remit the same back to the 2nd Respondent (SEAC – Tamil Nadu) to reconsider the same and submit to the 1st Respondent (SEIAA – Tamil Nadu) for necessary orders.</i></p> <p><i>26. Accordingly, the impugned rejection order dated 16.08.2023 is set aside and remitted back to the SEAC/SEIAA – Tamil Nadu for reconsideration after giving an opportunity of personal hearing to the appellant and for passing fresh orders within a period of 4 (Four) weeks."</i></p> <p>In view of the above, the Authority after detailed deliberations decided to forward the court direction to SEAC for further course of action and direction and also the possibility for going for appeal before the Hon'ble High Court of Madras against the order of the Hon'ble NGT (SZ) since the Special Chief Engineer, WRD, State Dam Safety Organisation,</p>



MEMBER SECRETARY



MEMBER



CHAIRMAN  
SEIAA-TN

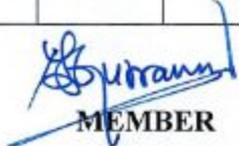
Chennai vide letter dated 26.04.2024 has forwarded the letter received from the Chief Engineer, WRD, Trichy Region. The Chief Engineer, WRD, Trichy Region vide letter dated 18.04.2024 has stated the following:

*"The Mettur Dam was Constructed during the year 1925-1934 and it is located in Navapatty village of Mettur Taluk in Salem District. The Proposal rough stone quarry is situated at S.F.No. 140/1 & 141/2 in Moolakkadu village of Mettur Taluk in Salem District. The Proposed Quarry site is surrounded by Palamalai reserve forest on three sides and the fourth side is nearer to Stanley Reservoir water spread area. The aerial distance between the proposed rough stone quarry site and the water spread area is 1.25 km. The road distance between Mettur Dam body wall and the proposed quarry site is 4.40 Km. The aerial distance between Mettur Dam body wall and the proposed quarry site is 3.40 Km.*

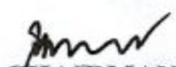
*The proposed rough stone quarry site is 4.40 km to the Mettur Dam body wall and 1.25 km to water spread area, Due to the Mining activities, the 90 years old dam may get affected ad also the inflow from Palamalai reserve forest to water spread area may get deviated. Carrying out mining operation near to Mettur Dam body wall, the integrity and stability of Mettur Dam may not be ensured. Also blasting in nearby quarry sites will affect the readings recorded in seismograph and accelerograph fixed in the Dam body wall to study the seismic activity in the surroundings of*



MEMBER SECRETARY

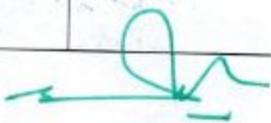


MEMBER



CHAIRMAN  
SEIAA-TN

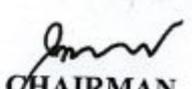
			<i>Mettur Dam. Hence, the mining operation and other activities nearest to the Mettur Dam is not advisable."</i>
6.	Proposed Rough Stone & Gravel quarry lease over an extent of 4.74.0 Ha at S.F. Nos. 14(P) & 28/2B(P) of Irukkandurai Part-II Village, Radhapuram Taluk, Tirunelveli District, Tamil Nadu by Thiru. S. Venkatesan- Environmental Clearance (SIA/TNMIN/290409/2022)	9465	The authority noted that Rejection Letter was granted to the proponent, Thiru. S. Venkadesan for the Proposed Rough Stone & Gravel quarry lease over an extent of 4.74.0 Ha at S.F. Nos. 14(P) & 28/2B(P) of Irukkandurai Part-II Village, Radhapuram Taluk, Tirunelveli District, Tamil Nadu vide Letter No. SEIAA-TN/ F.No.9465/2023 dated: 18.08.2023. Now, the proponent vide his letter dated 22.07.2024 has requested for reconsideration of application to obtain EC. During the meeting, SEIAA noticed that there is no justification found in the PP's request letter dated 22.07.2024 for the reconsideration of application to obtain EC. The Authority has made its remarks very clearly for rejection of the said quarry proposal in the 637 <sup>th</sup> Authority meeting held on 11.07.2023. Also, SEIAA felt that the PP's justification for reconsideration of the said proposal is not adequate.
7.	Existing Multicolour Granite Quarry over an extent of 3.44.5 Ha at S.F. No. 59/2B, 59/3A(P), 59/3B, 60/2A & 3A of Karandapalli Village, Denkanikottai Taluk, Krishnagiri District, Tamil Nadu by Thiru G.Udhayakumar – For extension of Environmental Clearance. (SIA/TN/MIS/298448/2022)	4973	The subject was earlier placed in the 707 <sup>th</sup> meeting of SEIAA held on 01.04.2024. The Authority noted that the subject was placed in the 449 <sup>th</sup> meeting of SEAC and the SEAC has furnished its recommendations for the <b>grant of "automatic extension to the respective increased validity" of Environmental Clearance as per the O.M dated 12.04.2022</b> to the project subject to the conditions stated therein in the meeting held on 07.03.2024. After detailed discussions, the SEIAA decided to call for the following additional particulars:



MEMBER SECRETARY



MEMBER



CHAIRMAN  
SEIAA-TN

# Untitled Map

Write a description for your map.

22

## Legend

- Feature 1
- Nelleeswarar Temple
- Venkatesh pannaiyar estate
- VRS Blue Metal Mulakat



Google Earth

Image © 2025 Maxar Technologies

200 m



**BEFORE THE HON'BLE  
NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI  
Appeal No. 2 of 2025 (SZ)**

**Thiru. M.P. SHANMUGHARAJA,**  
S/O Paneer Selvam,  
D.No. 5/ 15 L, Subbarayan Nagar,  
Mettur Dam, Salem District- 636 401  
**... Appellant**

Vs

**1.State Level Environment Impact  
Assessment Authority (SEIAA),**  
Rep. by its Member Secretary,  
**And Another**  
**... Respondents**

**COUNTER AFFIDAVIT OF 1ST  
AND 2ND RESPONDENTS**

S. SAI SATHYAJITH  
**COUNSEL FOR 1ST AND  
2ND RESPONDENTS**